

**119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CR No.1438 of 2017 (O&M)
Date of decision: February 28, 2017**

Balbir Kaur

...Petitioner

Versus

Kuldeep Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Aditya Dassaur, Advocate
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil revision preferred under Section 227 of Constitution of India read with Section 151 CPC, revisionist-petitioner has sought the setting aside of order dated 22nd February, 2017 passed by Additional Civil Judge (Senior Division), Phagwara in case bearing Civil Suit No.3485 of 2013 captioned as *Aaso Rani and another Vs. Kuldeep Singh and another* whereby the cross-examination of DW-1 has been treated as 'nil'. Though there appears some adamancy on the part of learned counsel, yet for that reason, party should not be made to suffer. Otherwise also, parties are required to be given proper and effective opportunity to establish their plea(s) for judicious adjudication of the matter in controversy.

Without commenting upon the impugned order dated 22nd February, 2017, the same is set aside and trial Court is directed to afford two effective opportunities to the petitioner for the cross-examination of DW-1 Surjit Singh but subject to payment of Rs.5,000/- to the respondent(s). However, if the respondent(s) feel aggrieved of this order, they are at liberty to approach this Court.

Since the case is listed for 1st March, 2017 before the trial Court, a copy of this order be issued under the signatures of Court Secretary.

Disposed of.

February 28, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No