

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

CR No.1914 of 2017

Date of decision: March 17, 2017

Kanwaljit Bedi

....Petitioner

Versus

Simarjit Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Bipan Sharma, Advocate and
Mr. Abhimanyu Kalsy, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

Through the instant civil revision preferred under Article 227 of Constitution of India, petitioner has sought quashing/setting aside of the order dated 15th February, 2017 (Annexure P-1) passed by Additional Civil Judge (Senior Division), Mohali, whereby an opportunity of cross-examination of PW-1 Simarjit Singh has been declined and cross-examination has been treated as 'nil'.

From the perusal of the record transpires that on 15th February, 2017, the day the impugned order was passed, learned counsel for the petitioner/defendant was busy before the Mediation and Conciliation Centre of this Court due to which he could not appear before the trial Court for the purpose of cross-examination of PW-1 Simarjit Singh. Though earlier an ample opportunity was afforded to the counsel for the petitioner/defendant to cross-examine but somehow, prior cross-examination could not be conducted. Since learned counsel for the petitioner/defendant was busy in this Court before the Mediation and Conciliation Centre in some other case in pursuance of the order passed by this Court in *CRM-M No.12419 of 2016*,

appearance was not possible before the trial Court. Otherwise also, the

justice demands that an opportunity be afforded to the petitioner to cross-examine PW-1 Simarjit Singh.

Accordingly, instant petition is disposed of with direction to trial Court to afford one effective opportunity to cross-examine PW-1 Simarjit Singh either on 27th March, 2017 or any other date convenient to the Court.

March 17, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No