

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

C.R. No. 2564 of 2017

Date of Decision: May 23, 2017.

Puran Chand

..... Petitioner

Versus

Hari Chand

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Petitioner in person.

Ms.Payal Mehta, Advocate, Amicus curiae.

Rajan Gupta, J (Oral)

On the last date of hearing, this court had appointed amicus curiae to assist the court as petitioner appeared in person and was not able to explain his exact stand before this court. Today, Ms.Payal Mehta has put in appearance. She submits that petitioner is a special power of attorney of the plaintiff. He filed a suit for declaration that judgment and decree dated 27.7.2009 be declared null and void. Suit is at the stage of evidence of defence witnesses. As the petitioner did not cross examine the defence witnesses on three consecutive dates, costs of Rs.2000/- was imposed upon him and same have already been paid by the petitioner. Admittedly, the case is now fixed for 6.7.2017 to enable the plaintiff to cross examine the defence witnesses. His grievance is against the imposition of costs.

In my considered view, no cause of action survives in this revision petition as costs imposed by the court have already been remitted.

Petitioner would thus be at liberty to cross examine the witnesses already produced by the defence witnesses.

Disposed of.

This court does not intend to examine whether costs are on higher side. Due to repeated adjournments only costs of Rs.2000/- was imposed which is reasonable.

(Rajan Gupta)
Judge

May 23, 2017.

BB

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No