

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

Date of Decision: 03.08.2017

1. CR No.4212 of 2017

M/s Mahadev Rice MillsPetitioner

Versus

Punjab State Civil Supplies Corporation Ltd. and another
... Respondents

2. CR No.4213 of 2017

M/s Brar Rice MillsPetitioner

Versus

Punjab State Civil Supplies Corporation Ltd. and another
... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:None for the petitioner.

Mr. Aman Sharma, Advocate
for the respondents.

RAJ MOHAN SINGH, J.(ORAL)

[1]. Vide this common order, CR No.4212 of 2017 titled M/s Mahadev Rice Mills Vs. Punjab State Civil Supplies Corporation Ltd. and another and CR No.4213 of 2017 titled M/s Brar Rice Mills Vs. Punjab State Civil Supplies Corporation Ltd. and another are being decided. For brevity facts are being taken from CR No.4212 of 2017.

[2]. Petitioner has filed this revision petition against the order dated 22.05.2017 passed by sole Arbitrator, whereby

further cross examination of CW 1 Vijay Kumar, Deputy District Manager (Accounts), Punsup was disallowed on the ground that petitioner was asking questions which were not relevant to the points in issue. The application for re-opening of the cross examination of the claimant witness was also rejected by the sole Arbitrator vide order dated 31.05.2017. This order has also been assailed in the present revision petition.

[3]. It appears from the reading of the impugned order that some questions were asked by the petitioner to which replies were also given by the witness.

[4]. Learned counsel for the respondents submitted that question asked by the petitioner was with regard to competence of the person filing the claim petition with reference to authorization. Though, question was answered, but still the petitioner kept on asking the question.

[5]. In my opinion the ground on which further cross examination of the witness has been denied cannot be accepted to be legal. The alleged conduct on the part of the petitioner in asking the same question is a subjective thing and has not come forth with reference to any other corroborative material.

[6]. Learned counsel for the respondents very fairly submitted that one opportunity be given to the petitioner to further cross examine CW 1 Vijay Kumar, Deputy District

Manager (Accounts), Punsup on some appropriate day.

[7]. In view of above, both the revision petitions are allowed. Impugned orders are set aside. Petitioner is entitled to further cross examine CW 1 Vijay Kumar, Deputy District Manager (Accounts), Punsup on the date to be fixed by the Arbitrator.

03.08.2017	(RAJ MOHAN SINGH)
prince	JUDGE
Whether Reasoned/Speaking	Yes/No
Whether Reportable	Yes/No