

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Civil Revision No.5623 of 2016 (O&M)
Date of decision: February 14, 2017

Harbans Singh

...Petitioners

Versus

Sheela Devi (deceased) through LRs
& others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: None for the petitioner.

Mr. Vivek Gupta, Advocate for the respondents.

Rajan Gupta, J.(oral)

Present revision petition is directed against the order dated 16.08.2016, passed by the trial court at Ambala, whereby it has been directed that plaintiffs would cross-examine the defendant No.1 in the first instance and then rest of the contesting defendants would be allowed.

Learned counsel for the respondents submits that mere change of sequence of examination of witnesses would not materially effect the outcome of the suit. He further points out that one of the witnesses namely, Pawan Kumar Garg, who is DW5, is more than 70 years of age. Due to hyper technical issues raised by the other side, proceedings are lingering on.

Under the circumstances, present petition is disposed of with the direction that normal procedure as envisaged by law, shall be followed while examining the witnesses. Impugned order is hereby set-aside. Matter is remitted to the same court for decision afresh and to pass an order as

envisaged by law. It would endeavour to conclude the proceedings expeditiously, in any case not later than one year.

Revision petition is partly allowed in the aforesaid terms.

(RAJAN GUPTA)
JUDGE

February 14, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No