

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

CR No.6839 of 2017 (O&M)

Date of Decision: 04.10.2017

Smt. Saroj Bansal

... Petitioner.

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sudhir Hooda, Advocate,
for the petitioner.

ANIL KSHETARPAL, J. (ORAL).

The plaintiff/petitioner is in revision petition against the order dated 04.09.2017 recalling the earlier order dated 06.04.2017 and permitting the defendant witness Gulab Singh, Tehsildar, Rohtak to appear as witness for cross-examination.

In this case, during the course of evidence, the defendant had summoned Gulab Singh, Tehsildar, Rohtak as its witness. Gulab Singh, Tehsildar, Rohtak had appeared and his Examination-in-Chief was recorded in the form of affidavit. The cross-examination was deferred. Thereafter, on 06.04.2017, Gulab Singh was not present. The Court closed the evidence of the defendant.

Thereafter, an application was filed for recalling the order dated 06.04.2017 on the ground that Gulab Singh could not appear in the Court as he was busy in performing his official duty and when he appeared at 2.30 PM on the said date, then it came to his knowledge that his evidence has

been closed by the Court order. The aforesaid application has been allowed.

In this case, the Court has exercised its discretion, which is not alleged to be perverse.

In these circumstances, I do not find any reason to interfere with the discretion exercised by the Court.

The revision petition is dismissed.

(ANIL KSHETARPAL)
JUDGE

04.10.2017
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No