

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

**C. R No. 7013 of 2017 (O&M)
Date of decision : 09.10.2017**

Ajaib SinghPetitioner
versus

Bant Singh & ors. ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Pardeep Kumar, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 13.09.2017 passed by learned Civil Judge (Jr. Divn.), Mohali, whereby the opportunity to cross examine of P.W.1 and 3 has been treated as NIL.

A perusal of the zimini order (P-2) shows that the above two witnesses i.e P.W.1 and 3 were present on 13.09.2017. However, they could not be cross examined by the learned counsel appearing for the petitioner in the Court below due to rush of work and in this background the impugned order was passed.

Learned counsel for the petitioner submits that since the evidence of the plaintiff is still going on, one effective opportunity be granted to the petitioner to cross examine the above two witnesses.

In view of the above factual position, order dated 13.09.2017 passed by learned Civil Judge (Jr. Divn.), Mohali is hereby set aside and the instant revision petition is ***allowed*** and the trial Court is directed to give one effective opportunity to the petitioner to cross examine P.W.1 Bant Singh and P.W.3 Amarjit Singh, subject to payment of cost of Rs.5000/- to be deposited before the District State Legal Service Authority, Mohali.

09.10.2017

G.Arora

***Whether speaking/reasoned
Whether reportable***

***Yes
No***

**(RITU BAHRI)
JUDGE**