

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

**C. R No. 8221 of 2017 (O&M)
Date of decision : 24.11.2017**

Smt. Nirmal Kaur Gill

....Petitioner

versus

Smt. Sangeeta Dhir and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sumit Batra, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

C.M. No. 25150-CII-2017

For the reasons mentioned in the application, delay of 05 days
in filing the revision petition is condoned.

The application stands disposed of.

C.R. No. 8221-2017

Challenge in this petition is to order dated 01.08.2017 passed
by learned Civil Judge (Jr. Divn.), Ludhiana whereby the application of the
decree holder/petitioner for cross examination of A.W.1 on behalf of
petitioner was dismissed.

Learned counsel submits that on 23.09.2016, the case was fixed
for cross examination of A.W.1 as she had obtained several opportunities to
conclude her evidence, but due to heavy work, the counsel for the
petitioner/decree holder was not able to cross examine the above witness
and the cross examination was marked as nill and the case was fixed for
05.11.2016.

Learned counsel submits that respondent No. 1 had closed her evidence on 06.12.2016 and the case is now fixed for 06.12.2017 for defendants evidence and the cross-examination of the above witness is necessary for just decision of the case.

In view of the above, order dated 01.08.2017 passed by learned Civil Judge (Jr. Divn.), Ludhiana 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 A.W.1-Sangeeta Dhir, subject to deposit of cost of Rs.5000/- to be deposited before the District State Legal Services Authority, Ludhiana.

24.11.2017

G.Arora

Whether speaking/reasoned
Whether reportable

Yes
No

(RITU BAHRI)
JUDGE