

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

131

CR No.8292 of 2017
Date of decision: 28.11.2017

Chandbir Singh and others

..... Petitioners

Versus

Navjot Kaur and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Animesh Sharma, Advocate
for the petitioners.

ANIL KSHETARPAL, J. (ORAL)

Plaintiffs are in the revision petition against the order dated 13.10.2017 closing the opportunity of the plaintiffs to cross-examine DW-1 Narpinder Singh and DW-2 Jaswinder Singh by treating it as nil.

Learned counsel for the petitioners has brought attention of the Court to the orders dated 25.08.2017, 01.09.2017, 08.09.2017, 28.09.2017 and 09.10.2017 to contend that DW-1 and DW-2 had tendered their affidavits in examination-in-chief on 01.09.2017 and thereafter, they did not appear before the Court on 08.09.2017, 28.09.2017 and 09.10.2017. Hence, he contends that counsel for the petitioner was not at fault and the order passed by the trial Court is very harsh.

Taking into consideration the aforesaid facts as noticed above, this Court is of the view that the order passed by the Court on 13.10.2017 is required to be set aside.

Plaintiffs are granted one effective opportunity to cross-examine DW-1 Narpinder Singh and DW-2 Jaswinder Singh on the next date of hearing. This opportunity shall be subject to payment of cost of Rs.5,000/-.

Revision petition is allowed.

Since, this Court has passed the order without issuing notice, the defendants shall be at liberty to move an application for recall of the same.

28.11.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No