

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

C.R. No.1618 of 2018

Date of Decision.12.03.2018

Jasdeep Attri

.....Petitioner

Vs

Jaswinder Singh

.....Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Rahul Deswal, Advocate
for the petitioner.

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AMIT RAWAL J.(ORAL)

The petitioner-respondent/wife is aggrieved of the order dated 21.02.2018, whereby, the cross examination of respondent-petitioner/husband in the divorce petition has been treated as 'nil'.

Mr. Deswal, learned counsel for the petitioner-respondent submits that on two occasions, cross-examination was done but on other two occasions, the Court time was over, thus, the fault cannot be attributed to the petitioner-wife. In case, one opportunity is granted, she will conclude the entire evidence.

I have heard the counsel for the petitioner and appraised the paper book and of the view that no doubt, the petitioner was negligent in concluding the evidence, however, in order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant one effective opportunity to the petitioner to conclude the cross-examination.

Keeping in view the aforementioned observations, the impugned order is set aside and the petitioner shall conclude the evidence in accordance with law subject to payment of costs of ₹5,000/- to defray the cost of litigation of respondent, which shall be condition precedent. If the costs is

not paid as directed, the order passed already by the court below shall stand restored.

The impugned order is set aside and the revision petition is allowed.

(AMIT RAWAL)
JUDGE

March 12, 2018
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No