

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

C.R. No.1641 of 2018

Date of Decision.12.03.2018

Karanvir Singh

.....Petitioner

Vs

Sita Devi and others

.....Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Abhishek Singla, Advocate for
Mr. Sudhir Rana, Advocate
for the petitioner.

:-

AMIT RAWAL J.(ORAL)

The petitioner-plaintiff is aggrieved of the order dated 19.02.2018, whereby, opportunity to cross-examine DW-3 has been cancelled.

Mr. Abhishek Singla for Mr. Sudhir Rana, learned counsel appearing for the petitioner submits that the affidavit in examination-in-chief was filed by DW3 on 19.02.2018 itself as DW-3/A, therefore, the Court should have given one opportunity to cross-examine and in case, one opportunity is granted, he will conclude the cross-examination.

I have heard the counsel for the petitioner-plaintiff, 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 evidence.

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/- in order to defray the cost of litigation of the respondents, 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