

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

C.R. No.1981 of 2018

Date of Decision.26.11.2018

Charanjit Kaur

.....Petitioner

Vs.

Satminder Kaur and others

.....Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. M.S. Atwal, Advocate
for the petitioner.

Mr. Satbir Rathore, Advocate
for the respondents.

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AMIT RAWAL J. (ORAL)

The petitioner-plaintiff is aggrieved of the order dated 23.02.2018, whereby, application filed by the petitioner-plaintiff to recall PW2 Teja Singh for cross-examination has been dismissed.

Mr. Atwal, learned counsel appearing for the petitioner submits that 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-plaintiff was negligent in cross-examining the aforementioned witness, 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-plaintiff shall conclude the evidence in accordance with law subject to payment of costs of

₹5,000/- 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

November 26, 2018

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No