

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

**Civil Revision No.2819 of 2018 (O&M)
Date of decision: 01.05.2018**

Krishan Lal

.....Petitioner

Versus

Dev Samaj

.....Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Deepak Aggarwal, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 28.03.2018 passed by the Rent Controller, Bathinda, whereby cross-examination of Dev Anoop (AW-1) has been treated as 'nil'.

Learned counsel for petitioner states that this witness (AW-1) was partly cross-examined by tenant-petitioner on 17.01.2018 and his further cross-examination was deferred. Thereafter, on 06.02.2018, 14.02.2018 and 07.03.2018, he did not come present in Court for further cross-examination. Ultimately, vide impugned order dated 28.03.2018, it has been observed by the Rent Controller that learned counsel for respondent-tenant (petitioner herein) has not come present for cross-examination. However, presence of Sh. K.K.Garg, Advocate, has been marked in the impugned order itself.

In the given circumstances of the case, to impart complete justice

to the parties, it would be appropriate, if adequate opportunity is provided to the petitioner to cross-examine the aforesaid witness.

Accordingly, impugned order dated 28.03.2018 is set aside and trial Court is directed to provide one effective opportunity to respondent-tenant (petitioner herein) to cross-examine AW-1 namely Dev Anoop, subject to costs of Rs.2000/-, to be deposited with the District Legal Services Authority, Bathinda.

Allowed accordingly.

01.05.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No