

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

238

CR-5223-2017 (O&M)

Date of Decision:11.01.2018

Kulbir Kaur

.....Petitioner

Versus

Bhupinder Kumar

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Karan Matharu, Advocate for
for Mr. Hittan Nehra, Advocate,
for the petitioner.

Mr. Gurpal Singh Randhawa, Advocate,
for the respondent.

HARI PAL VERMA, J.(Oral)

CM-16621-CII-2017

For the reasons stated in the application, delay of 30 days in re-
filing the revision petition is condoned.

C.M. stands disposed of.

CR-5223-2017

Petitioner has filed the present revision petition under Article
227 of the Constitution of India for setting aside the order dated 17.04.2017
passed by learned Additional District Judge, S.A.S. Nagar, Mohali, whereby
the opportunity of cross-examination of the witnesses has been ordered to
be treated as 'Nil'.

Mr. Gurpal Singh Randhawa, Advocate, has put in appearance
on behalf of the respondent and filed his power of attorney, which is taken

on record.

Learned counsel for the respondent has fairly stated that though the petitioner has no right to be granted further opportunity, however, he has no objection, in case, only one effective opportunity is granted to the petitioner to cross-examine the witnesses subject to payment of some adequate costs.

This Court finds the submission made by learned counsel for the respondent as fair and just. Therefore, the present revision petition is accepted and the impugned order dated 17.04.2017 is hereby set aside. One effective opportunity is granted to the petitioner to cross-examine the witnesses, which has otherwise been treated as 'Nil' by the learned Additional District Judge, S.A.S. Nagar, Mohali. However, this would be subject to the payment of ₹5,000/- as costs to be paid to the respondent before the cross-examination of the witnesses.

January 11, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No