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

CR No. 5344 of 2018

Date of Decision: 10.09.2018

Jagtar Singh

....Petitioner

Vs

Charan Singh

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Khushbir K. Bhullar, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

Petitioner has assailed the order dated 02.08.2018 passed by Additional Civil Judge (Senior Division), Pehowa vide which prayer for re-calling PW1 Charan Singh for further cross-examination was dismissed.

An application was filed for re-calling of PW1 Charan Singh on the ground that though he was cross-examined by the earlier counsel but certain questions were not asked and he was not properly cross-examined by the previous counsel. He was sought to be further cross-examined by engaging a new counsel.

In view of view expressed in **Om Parkash versus Vinod Kumar, 2014 (Supplementary) Civil Court Cases 485**

(P&H) and State of Haryana versus Raj Mehar and others,
2016(5) Recent Apex Judgments 109, it was held that the party cannot be allowed to re-call a witness for further cross-examination with the change of counsel. PW1 was cross-examined by the earlier counsel.

In view of aforesaid precedents, the effort to re-call PW1 for further cross-examination cannot be entertained on the plea that earlier counsel did not put relevant questions to the witness and the party became wise only after engaging a new counsel.

This revision petition is accordingly, dismissed.

10.09.2018
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No