

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5501 of 2018

Date of Decision: 05.09.2018

Savitari Devi

.....Petitioner

Vs.

Ram Piari

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Naveen Batra, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner challenges the order of the learned Civil Judge (Senior Division), Sri Anandpur Sahib, dated 09.07.2018, by which, on account of the fact that cross-examination of DW-7, Joginder Singh, was not conducted on that date, it was ordered to be treated as 'Nil' and the remaining evidence of the respondent-defendant was also ordered to be closed.

Though the defendant has not challenged the closure of her evidence, the petitioner-plaintiff has challenged that part by which the cross-examination of DW-7 has been treated to be 'Nil'.

Notice of motion having been issued in this petition, though the report of the Registry is that notice issued to the respondent has not been received back either served or otherwise, however, Mr. Vinod Kumar Kaushal, Advocate, appears on behalf of the respondent and has filed his power of attorney, which is taken on record.

Considering the fact that only cross-examination of DW-7 is still to be conducted, the impugned order is set aside to that extent and the petitioner-plaintiff is given one effective opportunity to cross-examine the said defendant, subject to payment of costs of Rs. 5,000/- to the respondent.

September 05, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes