

I am of the view that excuse put forward by the counsel for not cross examining the said three witnesses is not acceptable. There is no illegality or infirmity in the impugned order passed by the trial Court in treating the cross examination as nil. However, the learned counsel for petitioner has stated that petitioner is ready to compensate the said three witnesses for having been made to attend the Court on two previous dates

CR No. 98 of 2018 (O/M)

also.

In this way, though there is no illegality or infirmity in the impugned order of the trial Court, however, in the interest of justice, present petitioner is granted one more opportunity to cross examine all the three witnesses on the next date of hearing, subject to payment of Rs. 10,000/- each to each of said three witnesses. It is made clear that no further adjournment shall be granted for cross examination of said three witnesses. The case may be taken in early hours of the day so that cross examination of said three witnesses could be completed on that date.

Disposed of.

(KULDIP SINGH)
JUDGE

11.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No