

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-43978 of 2016

Date of Decision: September 25, 2018

M/s K.K. Steel Corporation and others

.....Petitioners

versus

M/s S.P. Enterprises

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ravi Malhotra, Advocate
for the petitioners

Mr. Vijay Rana, Advocate
for the respondent

Sudhir Mittal, J. (Oral)

The petitioners have challenged order dated 07.10.2016 passed by JMIC, Jalandhar, whereby his application for examining the concerned Clerk from the Sales Tax Department has been rejected.

A perusal of the impugned order shows that the application was rejected and the matter was adjourned for defence evidence and last opportunity was granted.

Learned counsel for the petitioners submits that he needs only one opportunity to examine the concerned Clerk of the Sales Tax Department regarding bill Ex. DC. He undertakes to produce the concerned witness on the next date of hearing, at his own risk and responsibility.

In view of the above, order dated 07.10.2016 passed by JMIC, Jalandhar in complaint case No. 1442 of 2015, is set aside. The petitioners are permitted to examine the concerned Clerk of the Sales Tax Department on the next date of hearing at their own risk and responsibility. It is made clear that no further opportunity shall be granted to the petitioners and that after the next date of hearing

the matter will be posted for final arguments.

The petition is allowed in the aforementioned terms.

September 25, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No