

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 257

Case No. : C. R. No. 4971 of 2018

Date of Decision : May 09, 2019

Deepak Sareen Petitioner
vs.
Nidhi Sareen @ Ravita and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

* * *

Present : Mr. K. S. Dadwal, Advocate
for the petitioner.

Mr. C. M. Munjal, Advocate
for the respondents.

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DEEPAK SIBAL, J. (Oral) :

The present petition is directed against the order dated 19.07.2018 passed by the Additional District Judge, Hoshiarpur (for short – the Trial Court), through which an application filed by the petitioner to the effect that Nitin Chauhan, who had been produced as a witness by the petitioner, could have not been summoned as a witness of the respondent, has been disposed of by ordering that the aforesaid Nitin Chauhan would be treated as a court witness.

At the outset, learned counsel appearing on behalf of the petitioner submits that he has express instructions from his client, who is present in the Court, not to press the present petition. However, he submits that Nitin Chauhan, who has been summoned in pursuance to the order impugned in the present petition as also the orders dated 11.05.2018

(Annexure P-7) and 28.05.2018 (Annexure P-8), be examined on one day and Nitin Chauhan, being an expert witness, his charges for appearance be paid by the respondent.

Learned counsel appearing on behalf of the respondents, on express instructions from his clients, who are also present in the Court, submits that subject to the petitioner's co-operation, every endeavour shall be made by the respondents to examine the aforesaid Nitin Chauhan as also their own expert witness on the day he appears before the Trial Court. As Nitin Chauhan is a court witness, they also undertake to pay the charges for his appearance to be determined by the Trial Court.

In view of the above, the present petition is dismissed as not pressed with a direction that Nitin Chauhan be summoned as a court witness for the purpose contained in the orders dated 11.05.2018 (Annexure P-7) and 28.05.2018 (Annexure P-8). It is further directed that the Trial Court shall make every endeavour to examine the aforesaid witness on the day he appears before the Trial Court and that the miscellaneous expenses/charges to be paid to the aforesaid witness, as determined by the Trial Court, shall be borne by the respondents.

(DEEPAK SIBAL)
JUDGE

May 09, 2019

monika

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.