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

CR-7275-2017 (O&M)

Date of Decision: November 14, 2019

Jaswinder Singh and another

.....Petitioners

Versus

Ajaib Singh now deceased through his LRs

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.G.S.Dhaliwal, Advocate
for the petitioners.
Mr.Liaqat Ali, Advocate
for the respondents.

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NIRMALJIT KAUR, J. (ORAL)

While issuing notice of motion, the following order was
passed:-

“Learned counsel contends that the impugned order visits the petitioner with very harsh consequences and ought not to have been passed, particularly in view of the pendency of another suit in which proceedings had been stayed by the High Court and the proceedings in the suit out of which the instant civil revision arises being required to be heard along with the aforementioned civil suit.

Learned counsel contends that the petitioners have no intention of delaying the proceedings and it was in the background of non intimation of final opportunity having been granted for cross-examination of PW2 and PW3 that the impugned order was passed.

Learned counsel contends that the petitioners pray only for one opportunity for cross-examining Gurjit Singh PW-2 and Kuldeep Singh PW3, on such terms as are deemed to be just and proper by this Court.

Learned counsel further states that the evidence of

the plaintiff is still going on.”

The above facts are not disputed. Accordingly, civil revision is allowed and the order dated 08.09.2017 is set aside. One last opportunity is granted to the petitioner to cross-examine PW1 Gurpreet Singh and PW2 Kuldeep Singh. Needful shall be done by granting the petitioner one last effective opportunity on which date, PWs shall make themselves available. No further opportunity shall be granted. However the opportunity is granted subject to deposit of ₹30,000/- as costs, to be paid to the plaintiff.

November 14, 2019
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(NIRMALJIT KAUR)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |