

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 2964-2019(O&M)

Date of decision: 06.05.2019

Avtar Singh and another

.....Petitioners

versus

Jatinder Singh

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Vishal Nehra, Advocate for the petitioner

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Petitioner has impugned the order dated 1.4.2019 passed by learned Additional Civil Judge (Senior Division), Hoshiarpur, vide which, evidence of the petitioners-plaintiffs has been closed by Court order.

Heard.

Perusal of the impugned order shows that PW1 Avtar Singh was to come present for cross-examination. He failed to appear on the said date. Rs.500/- cost was imposed upon him. Witness failed to turn up and consequently, evidence was closed by Court order. Suit is for recovery on account of malicious prosecution.

Considering that the evidence of the witness namely, Avtar Singh-plaintiff is vital, without issuing notice to the opposite party, the present petition is allowed. Impugned the order dated 1.4.2019 passed by

learned Additional Civil Judge (Senior Division), Hoshiarpur is set aside and the petitioner is granted one opportunity to produce himself before the trial Court for cross-examination subject to costs of Rs.5,000/-payable to opposite party. No further opportunity shall be granted.

06.05.2019
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No