

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

**Civil Revision No.3424 of 2019 (O&M)
Date of Decision:May 23, 2019.**

Amanpreet Singh through his attorney Lakhveer Singh

.....PETITIONER(s).

VERSUS

Harjinder Kaur and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. A.P. Kaushal, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Learned counsel for the petitioner submits that on 29.03.2019, counsel for the petitioner had gone out of station, as such, could not appear when the case was taken up, resulting in closing the cross-examination of DW1 Harjinder Kaur as 'Nil'. Statement of DW1 if goes unrebutted, will badly affects the case of the petitioner-plaintiff.

Perusal of order dated 29.03.2019 shows that on that day, Court had waited for the plaintiff and his counsel upto 4.20 p.m. When none appeared by that time, the opportunity allowed to the plaintiff to cross-examine DW1 Harjinder Kaur was treated as 'Nil'.

Though the explanation as put forth by learned counsel for the petitioner-plaintiff is not tenable but keeping in view the interest of justice, I deem it appropriate to allow one opportunity to the petitioner to examine

draft in favour of DW1 Harjinder Kaur on the date fixed by the trial Court. Only on payment of this amount, trial Court will allow one opportunity to the petitioner-plaintiff to cross-examine DW1 Harjinder Kaur.

The petition stands allowed accordingly.

The order has been passed in the absence of respondents to avoid unnecessary delay and expenses. A copy of this order be conveyed to the respondents. In the event of respondents having any objection, they may file application to that effect, which on filing be listed for hearing.

May 23, 2019.
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***