

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

CR-6993-2019

Date of decision: 05.11.2019

Jaswant Singh

...Petitioner

Versus

Kuljit Kumar @ Kuljeet Kumar

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Tapish Kumar Gupta, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 04.10.2019 (Annexure P-1) passed by the Civil Judge (Junior Division), Ludhiana, whereby application filed by the defendant-petitioner for recalling of the plaintiff (respondent) and his witnesses for their cross-examination, has been dismissed.

Grievance of the petitioner is that he has not been allowed to cross-examine the witnesses of the plaintiff. A perusal of the impugned order dated 04.10.2019 (Annexure P-1) shows that learned counsel for defendant has been regularly appearing before the trial Court.

Learned counsel for the petitioner states that only presence of counsel was marked before the trial Court, but actually, he had not appeared in this case.

This argument is liable to be rejected as Mr. Sumit Kumar, Advocate, had put in appearance on behalf of the defendant. In view of the said fact, trial Court ha rightly dismissed the application of defendant

(petitioner herein) for recalling the witnesses of plaintiff for their cross-

examination on the ground that learned counsel for the defendant had put in appearance at every stage of the trial. Moreover, witnessess of the plaintiff had come present, but defendant failed to cross-examine them despite availing sufficient opportunities.

In view of the above, the impugned order does not suffer from any illegality, much less perversity, warranting interference by this Court.

No merits.

Dismissed.

05.11.2019
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No