

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

**C.R. No 8144 of 2019
Date of decision : 17.12.2019**

Harmit Singh & ors.

....Petitioners

versus

Gurmail Kaur and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rakesh Gupta, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 26.11.2019 passed by learned Addl. Civil Judge (Sr. Divn.) Jagraon whereby application dated 12.09.2019 (P-2) filed by respondent No. 1 to conduct examination in chief as well as cross examination of witnesses on the will namely Tony Sandhu (Barrister and Solicitor) has been allowed by way of video conferencing on skype.

Learned counsel for the petitioners at the very outset has referred to video conferencing guidelines issued by this Court on 24.07.2019 for the conduct of Court proceedings between Courts and Remote Sites and the VC facilities set up at other places in State of Punjab, Haryana and U.T. Chandigarh.

In the present case, while passing the impugned order the respondent No. 1 has not given any affidavit which gives the right to respondent No. 1 to examine the witness for cross examination through video conferencing on skype and the mandatory provision of Order 18 Rule 4 has not been complied with.

Further after the arrangement is made and co-ordination is made between the Coordinator at a remote point, then the statement of witness will be

recorded in the presence of co-ordinator which shall be official of consulate/embassy of India of overseas.

Keeping in view the fact that the guidelines dated 24.07.2019 of this Court was not complied with, while passing the impugned order, therefore the civil revision petition stands disposed of and order dated 26.11.2019 is modified to the effect that the evidence of the witness Tony Sandhu be recorded, as per guidelines dated 24.07.2019 and the trial Court shall give copy of this order to the parties along with copy of guidelines.

December 17, 2019
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>