

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

126

CR-616-2020

DATE OF DECISION: 28.01.2020

SURJIT SINGH

... **Petitioner(s)**

Versus

VIJAY KUMAR MAHAJAN AND ANOTHER ... **Respondent(s)**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gursher Singh Bhandal, Advocate for the petitioner(s).

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 22.01.2020, whereby his evidence has been closed.

Learned counsel for the petitioner states that the respondents had filed petition for eviction of the petitioner under Section 13 of The East Punjab Urban Rent Restriction Act, 1949. He contends that despite his best efforts, he could not examine RW-3 and prays for grant of only one opportunity to examine him.

In view of the limited prayer of the learned counsel for the petitioner, I intend to dispose of this petition without issuing notice to the respondent.

The petitioner is seeking only one opportunity to examine RW-3 as his non-examination may cause prejudice to the petitioner. Therefore, it would be in the interest of justice, if one opportunity is given to the petitioner.

Consequently, the petition is allowed and the impugned order dated 22.01.2020 is set aside. The trial Court is directed to grant one opportunity to the petitioner for examination of RW-3, subject to the payment of cost of Rs.10,000/- to be paid to the respondents.

If the respondents are aggrieved by this order, they shall be at liberty to file an application in this regard.

(ANUPINDER SINGH GREWAL)
JUDGE

28.01.2020.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No