

In the High Court of Punjab and Haryana at Chandigarh

118

CR-910-2020 (O & M)

Date of Decision: February 07, 2020

KEWAL KRISHAN

.....PETITIONER

VERSUS

HARBANS SINGH SATHI

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Kunal Vinayak, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the order dated 27.01.2020 whereby the trial Court has declined the application preferred by him for allowing his draftsman to inspect the premises and prepare the site plan.

Learned counsel for the petitioner contends that it is necessary for the petitioner's draftsman to inspect the premises and prepare a site plan as he was to confront the witnesses of the respondent/petitioner during cross-examination.

Heard.

The petition had been preferred by the respondent/landlord for eviction of the petitioner-tenant from premises on the ground of bona fide necessity. The case is at the stage of the respondent/landlord's evidence. The respondent/landlord and his draftsman were present for cross-examination when the aforementioned application was preferred by the petitioner. It is open to the petitioner to cross-examine the respondent/landlord and the draftsman who had been produced in support of the landlord's evidence. After the closure of the

evidence of the respondent/landlord, the petitioner/tenant would, of course, get opportunity to lead evidence in his support. The petitioner/tenant cannot insist upon getting the site plan prepared through his own draftsman in order to put the same to the draftsman produced by the respondent/landlord in his cross-examination. Therefore, I am of the considered opinion that the impugned order declining the application is just, reasonable and no interference is required therewith while exercising the revisional jurisdiction.

Consequently, the petition is dismissed.

Needless to observe that the petitioner-tenant would be afforded adequate opportunity to cross-examine the respondent/landlord and his witness as well as to lead evidence in support of his case.

(ANUPINDER SINGH GREWAL)
JUDGE

February 07, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No