

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 985 of 2020 (O&M)

Date of Decision: 11.02.2020

Sukhdeep Singh

... Petitioner(s)

Versus

Manpreet Kaur and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Rakesh Bakshi, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

The defendant No.2/petitioner has filed this revision petition against the order dated 16.12.2019, passed by the learned Additional Civil Judge (Senior Division) Rajpura, dismissing the application for recall of witness (PW.5) for further deposition.

The learned trial Court, on appreciation of the facts of the case, has held that the present application has been filed only to delay the disposal of the suit, which is pending for 11 years. Still further, the Court has found that no ground is made out to recall the witness for further cross-examination. It will be noted that the defendant No.2 was given sufficient opportunity to cross-examine the witness. After cross-examination was over, the witness was discharged. Thereafter, the present application was filed. Recall of the witness can be permitted only in rare and exceptional cases where the Court is satisfied that some injustice would be caused to the party.

In the present case, the petitioner has failed to point out any such reason. Hence, no ground is made out to interfere.

Dismissed.

(Anil Kshetarpal)
Judge

February 11, 2020
“DK”

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