

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

**CR No. 2550 of 2020(O&M)
Date of Decision: 25.11. 2020.**

Kulwinder Kaur

..... PETITIONER

Versus

Karamvir Kaur and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Abhishek Goyal, Advocate
for the petitioner.

Mr. Manish Kumar Singla, Advocate
for respondent no.1.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This petition has been filed by the petitioner, challenging order dated 02.11.2020 (Annexure P3), passed by the learned Presiding Officer, Election Tribunal-cum-SDM, Sunam District Sangrur, vide which evidence of the present petitioner was closed. Petitioner is arrayed as respondent no.1 in the Election Petition, filed by Karamvir Kaur-respondent no.1 in this case.

Mr. Manish Kumar Singla, Advocate, learned counsel for respondent no.1, has joined proceedings. During the course of hearing, it is agreed between the parties that one effective opportunity be afforded to the petitioner to produce the witnesses namely Jiwan Kumar and Amrik Singh, at her own risk and cost. Furthermore, cross-examination of the witness Gurdeep Singh be also permitted.

Learned counsel for respondent no.1 submits that the matter is listed

before the learned tribunal for 27.11.2020 and in case, the witness namely Gurdeep Singh is present, his cross-examination shall be conducted positively.

Keeping in view the consensus arrived at between the parties, order dated 02.11.2020 (Annexure P-3), is set aside and this petition is disposed of with a direction to the learned tribunal, that one effective opportunity be afforded to the petitioner to produce witnesses namely Jiwan Kumar and Amrik Singh, at her own risk and cost and in case the witness, namely Gurdeep Singh, is present on 27.11.2020, an opportunity be afforded to cross-examine the said witness. In case, for any reason, the learned tribunal is unable to conduct the proceedings on the dates so fixed, an effective opportunity in this regard, be afforded. Needless to say, learned tribunal shall make an endeavour for expeditious disposal of the Election Petition.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

November 25, 2020.

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**(LISA GILL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No