

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

218

CR-2140-2021(O&M)
Date of Order: 15.11.2021

VIKRAM

..Petitioner

Versus

MANGESH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Sandeep Verma, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing as
prayed by the learned counsels.

CM-10542-CII-2021

Allowed as prayed for.

Annexure P-6 is taken on record.

MAIN

Through this revision petition, the petitioner (the respondent's
husband) prays for grant of one opportunity to cross-examine two PWs
namely Sh. Mangesh and Smt. Kamlesh.

On 11.02.2020, these two witnesses had tendered their affidavits
in lieu of examination-in-chief and the cross-examination was deferred as the
copy of the affidavits were supplied on that day itself. The case was
adjourned to 03.04.2020 for the cross-examination of the said witnesses.

In the midst of March, 2020, due to the outbreak of Covid-19
pandemic, the Courts started functioning in a restricted manner. Thereafter,
the case was taken up on 22.02.2021, on the request of the learned counsel
representing the husband which was not opposed by the opposite side, the

case was adjourned to 20.04.2021 subject to the payment of cost of Rs. 500/-. On 20.04.2021, the case was adjourned to 03.08.2021. On 03.08.2021, the cost was paid, however, no PW was present. Even on 20.04.2021, no PW was present. On 23.08.2021, a new counsel entered appearance for the husband and prayed for an adjournment which was adjourned to 31.08.2021. On 31.08.2021, inspite of the request for the adjournment being made, the opportunity to cross-examine the witness was treated as nil. The learned counsel representing the petitioner contends that the counsel was in personal difficulty and inspite of the request, the Court did not grant even a short adjournment.

Keeping in view the aforesaid facts noticed above, it is considered appropriate to grant one last opportunity to the petitioner to cross-examine the witnesses subject to the payment of cost of Rs.10,000/-. This is only a mercy chance given to the petitioner keeping in view the facts of the present case.

The Family Court is requested to fix a date for appearance of the two witnesses namely Sh. Mangesh and Smt. Kamlesh who shall be permitted to be cross-examined subject to the payment of the costs aforesaid.

With these observations, the petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

November 15, 2021

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**(ANIL KSHETARPAL)
JUDGE**

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