

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

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**CR-2295-2021 (O&M)
Date of decision:11.10.2021.**

MAL SINGH AND ORS

...Petitioners

Versus

GURJIT SINGH AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. D.S.Walia, Advocate, for
 Mr. S.S.Walia, Advocate,
 for the petitioners.**

ANIL KSHETARPAL, J (Oral)

The petitioners herein are the plaintiffs in a suit for passing a decree of permanent injunction restraining the defendants, their agents, attorneys, associates, assignees, relatives etc. from illegally and forcibly dispossessing the plaintiffs from a residential house.

The suit is pending for the last 3 years. DW1-Gurjit Singh appeared to depose in the Court. However, the counsel representing the plaintiffs did not cross-examine the witness, forcing the Court to treat the cross-examination of Gurjit Singh as NIL.

The petitioners pray for an opportunity to cross-examine the witness with a prayer to set aside the order.

The defendant-Gurjit Singh is an important witness in the case. In absence of cross-examination, the statement of the witness remains unchallenged which may cause serious prejudice to the case of the plaintiffs.

Keeping in view the facts of the case, the petitioners are granted

one opportunity to cross-examine the witness, subject to payment of Rs.20,000/-, shall be the condition precedent for availing the opportunity.

Disposed of accordingly.

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

October 11, 2021
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(ANIL KSHETARPAL)
JUDGE

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