

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

Sr. No.117

**Civil Revision No.2808 of 2021
Date of Decision : November 16, 2021**

Amrit Ice and Cold Storage Pvt. Ltd and another ...Petitioners

Versus

Yogesh Jain and another ...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vikas Jain, Advocate, for the petitioners.

SUDHIR MITTAL, J. (ORAL)

Vide impugned order dated 19.10.2021, cross-examination of RW1 has been treated as nil. Thus, the landlord has been deprived of his right to cross-examine the tenant.

It has been submitted that the impugned order is too harsh. On the previous date, cross-examination could not be done as affidavit of RW1 had not been supplied. Said witness has taken a long time to put in appearance and costs were also imposed on the tenant. Thus, the impugned order is too harsh and one last and final opportunity may be granted subject to payment of costs.

Considering the nature of the prayer and the order being passed, issuance of notice of motion is dispensed with.

The revision petition is allowed and order dated 19.10.2021 denying opportunity to cross-examine RW1 is set aside. The petitioners shall cross-examine RW1 on 30.11.2021 subject to payment of costs of Rs.5000/- to be paid to the respondent. It shall be the responsibility of the petitioners to inform the respondent and the witness.

November 16, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No