

CR-36-2022

Date of Decision: 07.01.2022

Kamlesh Chander Mahajan and another

....Petitioners

VS

Pardeep Kumar Mehta

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**Present:** Mr. Sanjay Majithia, Sr. Advocate with
Mr. Vinay Gaur, Advocate for the petitioners

SUDHIR MITTAL, J. (Oral)

The petitioners are the plaintiffs. They have filed a suit for damages alleging defamation. In the said suit, petitioner No. 1 was examined in chief on 02.02.2016 but his cross-examination has not been concluded till date even though 88 opportunities have been availed by counsel for the respondent-defendant. Thus, the interest of justice requires that a direction may be issued to the trial Court to direct the defendant to conclude cross-examination of petitioner No. 1 positively. It has also been submitted that after the cross-examination is concluded, petitioner No. 1 would only tender some additional documents without seeking to prove them by producing oral evidence and would conclude his evidence. Thus, the suit itself can be decided at an early date.

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

The revision petition is disposed of with a direction to the concerned trial Court to direct the defendant to conclude the cross-examination of petitioner No. 1 on the next date of hearing. Liberty to the respondent-defendant to seek modification of this order.

07.01.2022*reena***(SUDHIR MITTAL)
JUDGE**