

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-6569 of 2017 (O&M)
Date of decision:21.10.2022

Harjit Singh

..Petitioner

Versus

Kaur Singh Grewal and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Gautam, Advocate
for the petitioner

Mr. D.S.Sobti, Advocate and
Ms. Jasleen Chahal, Advocate,
for respondent no.1.

ANIL KSHETARPAL, J(Oral)

During the pendency of the suit, the plaintiff appeared to record his deposition.

The learned counsel representing defendant no.2 was given sufficient opportunities to examine the witness. After the cross-examination by the learned counsel representing defendant no.2, defendant no.2 changed his counsel. He filed an application for recall of the witness in order to further cross-examine the witness. The trial court has declined to grant such permission.

The learned counsel representing the petitioner submits that at that time an application for review of the permission granted for leading secondary evidence was pending and the learned counsel representing defendant no.2 was instructed not to cross-examine the witness.

It is not in dispute that the counsel representing defendant no.2

has already cross-examined the witness. The cross-examination on the part of the remaining defendants is also already over. The suit is for specific performance of the agreement to sell which is based on a written agreement as alleged by the plaintiff. In such circumstances, no ground to recall the witness is made out.

Dismissed.

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

October 21, 2022
nt

(ANIL KSHETARPAL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>