

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

CR-2164-2021 (O&M)

Date of decision : 27.10.2022

Dalbir Singh (since deceased) through his LRs & Anr. ... Petitioner(s)

Versus

Sonia Kaur & Ors. ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vipin Mahajan, Advocate for the petitioners.

ALKA SARIN, J. (ORAL)

The present revision petition under Article 227 of the Constitution of India has been filed impugning the order dated 22.11.2019 (Annexure P-7) whereby the application filed by the defendant-petitioners for permission to re-cross-examine the plaintiff-respondent No.1 has been dismissed.

Plaintiff-respondent No.1 was partly cross-examined on 24.09.2018 and then further cross-examined on 15.11.2018. Thereafter, the plaintiff examined PW2 - HC Parminder Singh - and closed her evidence. The present application was moved on 25.09.2019 for re-cross-examination of plaintiff-respondent No.1 only on the ground that inadvertently some relevant questions were not put to the witness. The said application was contested by the plaintiff-respondent No.1. Vide the impugned order dated 22.11.2019 the said application was dismissed.

The only argument raised by learned counsel for the defendant-petitioners is that the previous counsel did not put relevant questions to the witness, hence, in the interest of justice, one opportunity be granted to recall the witness for re-cross-examination.

Heard.

Simply by asserting that the previous counsel did not put relevant questions, a witness cannot be recalled for re-cross-examination. There is no reason forthcoming in the application for re-cross-examination of the witness except for the reason that the earlier counsel did not put relevant questions. The said application appears to be nothing but an endeavor to fill-in the lacuna in the evidence and the proceedings of the trial.

In view of the above, I do not find any ground to interfere in the impugned order. The present revision petition, which is devoid of any merit, is accordingly dismissed. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

27.10.2022
Yogesh Sharma

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO