

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

114

**CR-4306 of 2019
Date of Order: 19.04.2022**

Jagdish Singh

..Petitioner

Versus

Barinder Kumar alias Ramu and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vijay Lath, Advocate, for the petitioner.
Mr. H.K.Brinda, Advocate, for respondent no.3 and 4.

ANIL KSHETARPAL, J(Oral)

The plaintiff in a suit for grant of decree of permanent injunction assails the correctness of the order passed by the trial court on 01.01.2019, permitting defendant no.1 and 2 to cross-examine the witness produced by defendant no.3.

The plaintiff has filed a suit for grant of decree of permanent injunction restraining the defendants from interfering into his peaceful possession. Defendant no.3 is a Gram Panchayat of village Lodhi Majra, Tehsil and District Rupnagar.

Defendants while filing the separate written statements continued to defend the suit. When the turn of defendant no.3 to produce the evidence came, the Gram Panchayat examined Sh. Kuldeep Singh.

The learned counsel representing defendant no.1 and 2 prayed to the Court to cross-examine Sh. Kuldeep Singh, which has been allowed.

It is well settled that in the absence of inter-se conflict between the stand of the various defendants, the defendant is not required to be given opportunity

to cross-examine the witness of another defendant. This matter has been examined at length by the Karnataka High Court in *M/s Ennen Castings (P) Ltd. vs. M.M.Sundaresh and others, 2003(3) Civil Court Cases 526.*

The learned counsel representing the petitioner has failed to draw the attention of the Court to any inter-se conflict between defendant no.1 and 2 on the one side and defendant no.3 on the other side.

In view thereof, the revision is allowed. The order under challenge is set aside.

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

April 19, 2022

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(ANIL KSHETARPAL)
JUDGE

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