

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

CR-5693-2019 (O&M)

Date of decision: 10.11.2022

M/s Dev Rice Mills and others

....Petitioners

Versus

M/s Lakshmi Rice and General Mills and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mohit Jaggi, Advocate for the petitioners

ANIL KSHETARPAL, J (Oral)

It has been noticed from the various daily orders that PW-Sushil Kumar was available for cross-examination on 09.01.2019, however, the learned counsel representing the defendants prayed for an adjournment, which was acceded to. Consequently, the case was adjourned to 18.01.2019. On 18.01.2019 also, the witness was present but the learned counsel representing the defendants prayed for an adjournment to cross-examine the witness. While penalizing the defendants with the costs of Rs.5,000/-, again an adjournment was granted for serving the interests of justice. However, on 01.02.2019, once again the learned counsel representing the defendants did not cross-examine the witness.

Keeping in view the aforesaid facts, the court passed the impugned order by treating the cross-examination of the witness as nil. Challenging its correctness, the present revision petition has been filed. The plaintiff has filed a suit for the recovery of Rs.2,55,58,405/-. The learned counsel representing the defendants has repeatedly been granted

such an opportunity numerous times by the courts below. Such conduct of the learned counsel cannot be appreciated by this Court. Hence, no ground to interfere is made out.

Dismissed.

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

10.11.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE