

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 3395 of 2021

Date of Decision: 07.12.2022

Smt. Nirmala Devi

... Petitioner(s)

Versus

Smt. Rekha Kumari and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. J.S.Jaidka, Advocate
for the petitioner(s).

Ms. Swati Verma, Advocate
for the respondent. No.1.

Anil Kshetarpal, J.

1. The trial Court, while refusing to defer the cross-examination of the plaintiff in order to give an opportunity to the learned counsel representing the defendant No.2 to cross-examine her, has passed the impugned order dated 11.10.2021.

2. It has been noticed that the learned counsel representing the defendant No.1, had been given an opportunity to cross-examine Smt. Rekha Kumari on 11.10.2021, however, the learned counsel representing the defendant No.2 prayed for an adjournment which was refused. The case is now fixed for the remaining evidence of the plaintiff. The plaintiff's (respondent No.1 herein) suit for possession by way of specific performance of the agreement to sell is pending. The defendant No.2 (petitioner herein) claims to be the owner of the property.

to grant one more opportunity to the petitioner to cross-examine Smt.Rekha Kumari on the date to be fixed by the trial Court, subject to the payment of cost of ₹5,000/- which shall be payable to the plaintiff. The trial Court is requested to fix a date for appearance of Smt.Rekha Kumari in this regard. Accordingly, the present revision petition is allowed.

(Anil Kshetarpal)
Judge

December 07, 2022

“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No