

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 113

Civil Revision No.4655 of 2022
Date of Decision: October 21, 2022

Malkit Singh

..... PETITIONER(S)

VERSUS

Sukhmander Singh

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. P.K.S. Phoolka, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This revision petition has been filed under Article 227 of the Constitution of India for setting aside order dated 14.09.2022 (Annexure P-1), by which plaintiff's application seeking permission to cross examine witness PW-2 Amrik Singh through local commissioner has been declined and plaintiff's evidence has been closed.

Learned counsel for the petitioner contends that despite several opportunities having been granted by the trial Court, PW-2 could not come to the Court for his cross examination because he was bed-ridden and seriously ill. He further submits that request for cross examination of the witness by appointing local commissioner is not pressed and only prayer is to grant one last opportunity for cross examination of the witness.

In view of the aforesaid and in the interests of justice, prayer is accepted and the petitioner-plaintiff is afforded one last opportunity to

bring PW-2 Amrik Singh for his cross examination on a date to be fixed by the trial Court, subject to payment of ₹ 15000 as costs to the respondent. It is made clear that no further opportunity shall be granted for the purpose.

Disposed of accordingly.

(Tribhuvan Dahiya)
Judge

October 21, 2022
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No