

CR-5362-2022

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

CR-5362-2022 (O&M)

Date of Decision: November 21, 2022

Varinder Kumar and others

...Petitioners

Versus

Mahinder Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gaurav Sharma, Advocate for the petitioners.

DEEPAK GUPTA, J.(Oral)

Revision is against the order dated 10.08.2022 (Annexure P-1) as per which though PW1-Mahinder Singh was examined on that day but opportunity to cross-examine the witness by defendants No.1 to 4-petitioners was treated as nil.

2. It is submitted by learned counsel that in fact Shri Gagandeep Bhagria, Advocate, whose presence was marked on behalf of defendant No.1 to 4, was not present in the Court on the date of examination of PW-Mahinder Singh. Learned counsel further submits that the petitioners require only one opportunity to cross examine the said witness because the petitioners are the only contesting defendants. They are ready to bear the expenses of the witness.

3. The revision is accepted. The impugned order dated 10.08.2022 (Annexure P-1) is set aside and the petitioners are granted one opportunity to cross-examine the witness, subject to cost of ₹10,000/- to be deposited with the District Legal Services Authority, Sangrur.

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4. The trial Court is directed to fix a date for providing one opportunity to the petitioners-defendant Nos.1 to 4 so as to cross-examine PW1-Mahinder Singh and proceed further in accordance with law. The witness shall be called at the expenses of the petitioners-defendant Nos.1 to 4.

5. This order has been passed without serving notice to the respondents in order to avoid any delay in the matter. However, if the respondents-plaintiffs are aggrieved by this order, they can approach this Court.

November 21, 2022
sarita

(DEEPAK GUPTA)
JUDGE

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