

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

123

CR-462-2023 (O&M)

Date of decision: 23.01.2023

Bhupinder Singh

..Petitioner (s)

Versus

Punjab State Power Corporation Ltd.

..Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Umesh Aggarwal, Advocate for the petitioner.

NIDHI GUPTA, J (Oral)

Prayer in this Revision Petition is for quashing of order dated 03.10.2022 passed by the learned Civil Judge, Junior Division, Amritsar vide which the opportunity of the petitioner/plaintiff to cross examine DW1-Arundeeep Singh and DW4-Tajinder Singh was closed.

Learned counsel for the petitioner refers to Annexure P1 and submits that the petitioner could not conduct the cross examination of the above said witnesses as during the relevant period i.e. 01.08.2022 to 30.11.2022, his wife was undergoing surgeries at Rajiv Gandhi Cancer Institute at Delhi. At the very outset, learned counsel submits that one effective opportunity may be granted to the petitioner to defend his case, as grave injustice will be caused to him if he is not permitted to do so.

After hearing learned counsel for the petitioner, issuance of notion of motion is dispensed with at this stage, as it will cause further delay in the case. Accordingly, keeping in view the above facts as canvassed by ld. Counsel for the petitioner, this petition is allowed and impugned order dated 03.10.2022 is set aside. The learned Court below is directed to grant one effective opportunity to the petitioner to cross examine the above witnesses.

Disposed of as above. Pending application, if any, also stands disposed of.

**(NIDHI GUPTA)
JUDGE**

23.01.2023

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No