

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

CR-680-2023 (O&M)

Date of decision: 11.05.2023

Kamlesh Rani

...Petitioner

Versus

General Public and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. G.S. Thind, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

1. Being impugned in this revision petition order dated 04.01.2023 passed by the Court of Civil Judge (Sr. Divn.) Patiala vide which cross examination of RW-1 Mona Sharma was treated as 'Nil'.
2. Notice of the revision petition was given to respondent No.2 but she did not put in appearance to offer a contest.
3. After hearing counsel for the petitioner and going through the record, I find that no illegality or infirmity can be found with the impugned order. It was duty of counsel for the petitioner to remain present in the Court to conduct cross-examination of the witness produced by the other party. It is not duty of the Court to wait for the counsel or to call him to the Court for the purpose of conducting the proceedings. Nevertheless, in the interest of justice, one more opportunity is afforded to the petitioner to cross-examine the witness subject to payment of Rs.10,000/- as costs. A demand draft in the sum of

Rs.10,000/- be got prepared by the petitioner in the name of respondent Mona Sharma, which would be handed over to her/her counsel in the Court and only then petitioner would be given opportunity to cross examine her. In case of non-compliance, this revision petition is to be taken as dismissed. The trial Court would fix a date for appearance of Mona Sharma in the Court and then proceeding be conducted as detailed supra.

The revision petition stands disposed of accordingly.

11.05.2023

sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No