IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

2023:PHHC:060214

121 **CR-2569-2023 (O&M)**

Date of decision: 27.04.2023

IPS Chawla **..Petitioner (s)**

Versus

Kamaljit Kaur (deceased) thr Lrs. **..Respondent(s)**

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Prateek Sodhi, Advocate for the petitioner.

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NIDHI GUPTA, J (Oral)

Prayer in this Revision Petition is for setting aside order dated 21.04.2023 passed by the learned Rent Controller, Ludhiana vide which the opportunity to the petitioner to cross examine PW1 was treated as nil and he was proceeded against ex parte.

Learned counsel for the petitioner submits that due to some unavoidable circumstances, he could not cross examine PW1. At the very outset, learned counsel submits that one effective opportunity may be granted to the petitioner for the said purpose, 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 21.04.2023 is set aside. The learned Court below is directed to grant one effective opportunity to the petitioner to cross examine PW1, however subject to payment of Rs.10,000/- as costs to the respondents.

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

(NIDHI GUPTA)

27.04.2023 **JUDGE**

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

ASHOK KUMAR
2023.04.29 11:33
I attest to the accuracy and
integrity of this document