

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

244

CR-3013-2019 (O&M)

Date of decision: 01.02.2023

Shiv Lal

..Petitioner (s)

Versus

Krishna and ors.

..Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Sanjeev Sharma, Advocate for the petitioner.
None for respondents No.1(contesting respondent), 4 & 6.

NIDHI GUPTA, J (Oral)

Prayer in this Revision Petition is for setting aside orders dated 01.02.2019 and 27.02.2019 passed by the learned Civil Judge, Junior Division, Ludhiana vide which the opportunity to cross examine PW2 and PW4 has been treated as nil.

Learned counsel for the petitioner submits that counsel for the petitioner before the trial Court mainly practices in Civil Court, Khanna and on account of this, due to some unavoidable circumstances, he could not cross examine PW2 and PW4 on 01.02.2019 and 27.02.2019. At the very outset, learned counsel submits that one effective opportunity may be granted to the petitioner to cross examine PW2 and PW4, as grave injustice will be caused to the petitioner if he is not permitted to do so.

After hearing learned counsel for the petitioner and keeping in view the above facts as canvassed by ld. Counsel for the petitioner, this petition is allowed and impugned orders dated 01.02.2019 and 27.02.2019 are set aside. The learned Court below is directed to grant one effective opportunity to the petitioner to cross examine PW2 and PW4, however subject to payment of Rs.5000/- as costs to the respondents/plaintiffs.

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

**(NIDHI GUPTA)
JUDGE**

01.02.2023

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No