

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

(135)

**CR No.3981 of 2023
Date of Decision: 17.07.2023**

Renu Arora

.....Petitioner

Versus

Dinesh Bedi @ Tinku

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naveen Batra, Advocate, for the petitioner.

HARKESH MANUJA, J.(ORAL)

1. By way of present revision petition, challenge has been made to an order dated 25.05.2023 passed by the Court of Civil Judge (Jr. Divn.), Hoshiarpur, whereby, an opportunity to cross-examine respondent-defendant namely Dinesh Bedi @ Tinku has been treated to be as nil.

2. I have heard learned counsel for the petitioner and perused the paper book as well.

3. A perusal of the order passed by the trial Court, though, is justified and reasoned one, however, purely in the interest of justice, the petitioner/plaintiff is afforded effective opportunity to cross-examination respondent/defendant so as to put forward her case. Although, a sufficient opportunity was afforded to the petitioner on previous occasions by the trial Court so as to cross-examine the respondent/defendant, however, in case the examination-in-chief of defendant/respondent goes uncontroverted, it may cause of prejudice to the rights of the petitioner/plaintiff in the suit.

4. Accordingly, the present petition is allowed and the impugned order dated 25.05.2023 passed by the trial Court is hereby set aside with a direction to the trial Court to afford one effective opportunity to the petitioner

so as to cross-examine respondent/defendant namely Dinesh Bedi @ Tinku who appeared as DW-1.

5. Considering the fact that the respondent/defendant No.1 has to come from Alwar (Rajasthan) so as to attend the Court proceedings, he shall be entitled for costs of Rs.15,000/- to be deposited by the petitioner within a week from today. It is made clear that the present revision is disposed of without issuance of notice to the respondent/defendant so as to avoid further delay in disposal of the main suit pending before the trial Court and also to save respondent/defendant from the burden of unnecessary litigation expenses.

(HARKESH MANUJA)
JUDGE

17.07.2023
anil

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