

CR-3897-2022

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

**Sr. No.120**

**CR-3897-2022**

**Date of Decision: 13.09.2023**

**VIKRAM SINGH @ BIKRAM SINGH**

**....Petitioner**

**Versus**

**RAKESH KUMAR AND OTHERS**

**.....Respondents**

**CORAM: HON'BLE MRS JUSTICE ARCHANA PURI**

Present:- Mr. Deepak Arora, Advocate  
for the petitioner.

Mr. Vipin Mahajan, Advocate  
for respondent No.3.

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**ARCHANA PURI, J. (Oral)**

Challenge in the present revision petition is to the order dated 08.09.2022 (Annexure P-3), passed by the Court below, whereby the evidence of the petitioner/defendant, had been closed by order.

It is submitted by learned counsel for respondent No.3 that since the case before learned Lower Court has been held up, he has no objection, if the present revision petition is accepted and one opportunity is given to the petitioner to lead evidence.

Copies of the zimini orders, which are annexed with the paper book, have been perused, which reveals about the witness DW-1, Vikram Singh @ Bikram Singh, to have made appearance before learned Lower Court on 09.12.2021 and he tendered his affidavit and only on the count of adjournment sought by learned counsel for the plaintiff, his cross-examination was deferred. For the same purpose, the case was adjourned

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further for 2-3 dates and part cross-examination of the said DW was conducted on 11.05.2022. Thereafter, on the next date i.e. 21.07.2022, the said DW was not present and case adjourned further for 24.08.2022. On the said date also, DW-Bikram Singh was not present.

Anyways, considering the adjournment also having been sought by the respondent/plaintiff, for conducting the cross-examination, in the interest of justice, the revision petition, as such, is hereby accepted and impugned order dated 08.09.2022 is set aside, subject to payment of costs of Rs.10,000/- to be deposited with the Poor Patient Fund of PGIMER Chandigarh, within a period of 10 days from today onwards.

In view of the aforesaid, parties are directed to make appearance before the Court below on the next date and cross-examination of DW, Vikram Singh @ Bikram Singh shall be conducted within a period of seven days from the date, he makes appearance and if any other witness is intended to be examined apart from this witness, the same shall also be done, within a period of seven days, at the most.

However, before conducting of the cross-examination, the receipt of the deposit of the costs, shall be placed before the Court below.

Accordingly, the instant revision petition stands disposed of.

13.09.2023  
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(ARCHANA PURI)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No