

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

126

CR No.1065 of 2024
Date of Decision : 03.04.2024

Amar Prabhu Goyal and AnotherPetitioners

VERSUS

M/s Vishal Enterprises and OthersRespondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Aman Bahri, Advocate for the petitioners.

Mr. Hemant Bassi, Advocate for respondent No.1.

ALKA SARIN, J. (Oral)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 07.02.2024 whereby evidence of the defendant-petitioners has been closed.

2. Learned counsel for the defendant-petitioners has contended that defendant-petitioner No.1 has partly been cross-examined and his cross-examination needs to be completed. It is further the contention that given one opportunity the defendant-petitioner No.1 would present himself for completion of his cross-examination.

3. Mr. Hemant Bassi, Advocate has put in appearance on behalf of plaintiff-respondent No.1 and has filed his power of attorney, which is taken on record. He states that defendant-petitioner No.1 has already availed numerous opportunities to conclude his evidence, however, he did not present himself for further cross-examination.

4. Heard.

5. In the present case the limited prayer made by learned counsel for the defendant-petitioners is that the defendant-petitioners only want that the cross-examination of defendant-petitioner No.1 be permitted to be completed and that they do not wish to lead any further evidence.

6. Keeping in view the totality of circumstances and the fact that only the cross-examination of defendant-petitioner No.1 needs to be completed, this Court deems it appropriate to grant one opportunity to defendant-petitioner No.1 to present himself for completion of his cross-examination. The said opportunity would be subject to payment of Rs.30,000/- as costs to be paid to the plaintiff-respondent No.1, who is the contesting respondent. It is made clear that the payment of costs shall be a condition precedent.

7. The revision petition is disposed off in the above terms. Pending applications, if any, also stand disposed off.

03.04.2024

jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO