



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

137

CR-2961-2024 (O&M)
Date of Decision: 17.07.2024

NAVAL KISHORE KAURA

... Petitioner

VERSUS

SUKHCHARANJIT SINGH THIND & ORS.

... Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Jaideep Verma, Advocate for the petitioner.

Mr. Namit Gautam, 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 challenging the order dated 11.01.2024 (Annexure P-3) passed by the learned Civil Judge (Junior Division), Ludhiana whereby the cross-examination of the landlord (PW-1) has been treated as 'nil' and for granting one opportunity to complete the cross-examination of the landlord (PW-1).

2. Learned counsel for the petitioner would contend that the matter is now fixed for 18.07.2024 and given one opportunity the petitioner would cross-examine the landlord (PW-1) on the said date and that the petitioner is also willing to compensate respondent No.1 by way of costs for delaying the cross-examination since the year 2020.

3. Per contra, the learned counsel for respondent No.1 has pointed out to the *zimni* order, copies of which have been handed over in Court, from where it can be ascertained that despite numerous opportunities and last

opportunity having been granted, the petitioner did not cross-examine the landlord (PW-1).

4. Heard.

5. In the present case no doubt the petitioner has been remiss in cross-examining the landlord (PW-1) and has taken repeated adjournments however, considering the fact that this is an ejectment petition and in order to do complete justice, one opportunity is granted to the petitioner to cross-examine the landlord (PW-1) on the next date of hearing i.e. 18.07.2024 subject to payment of costs of ₹30,000/- to be paid to respondent No.1. The payment of costs shall be a condition precedent.

6. It is made clear that in case the landlord (PW-1) is not cross-examined on the next date of hearing i.e. 18.07.2024 fixed before the Rent Controller, the present revision petition shall be deemed to have been dismissed.

7. Revision petition stands disposed off accordingly. All pending applications, if any, also stand disposed off.

17.07.2024

Aman Jain

(ALKA SARIN)

JUDGE

*NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*