



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

CR-6966-2016

Date of decision : 27.08.2025

SATNAM KAUR

....Petitioner

Versus

MOHINDER LAL & ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Raman Kumar, Advocate for
Mr. Rajeev K. Kapila, Advocate
for the petitioner.

Mr. Rohit Duggal, Advocate for
Mr. Ravi Chadda, Advocate
for respondent No.1.

PANKAJ JAIN, J. (ORAL)

The present revision petition is pending consideration before this Court for last 9 years.

2. Challenge is to the order dated 29.08.2016 whereby cross-examination of PW-1 Mohinder Lal has been ordered to be treated as nil as the Court noticed that despite having been given opportunity, defendant failed to appear to cross-examine the witness.

3. Plaintiff filed suit for permanent injunction claiming title on the basis of the sale deeds. Defendants are contesting the suit. The issues were framed in the civil suit, on 10.08.2016. PW-1 appeared on 29.08.2016. Counsel for the defendant was not present on the said date and thus could

not cross-examine the witness. Trial Court on the same day, ordered that the cross-examination of the witness be treated as 'nil'. PW-1 is plaintiff himself.

4. Keeping in view the peculiar facts and circumstances, this Court finds that it is in the interest of justice that an opportunity be granted to the defendants to cross-examine PW-1/plaintiff.

5. Trite it is that Rules of Procedure are handmade to advance interest of justice. It is in the interest of justice of both the parties that PW-1 is cross-examined. The objective of the trial is nothing but 'quest for truth'.

6. In view thereof, the present revision petition is allowed.

7. Parties shall produce copy of this order before the Trial Court on the date already fixed. The Court shall summon PW-1 Mohinder Lal for the next date of hearing. On the said date, defendant shall cross-examine PW-1/Mohinder Lal, without fail.

8. The opportunity granted to defendants is subject to payment of Rs.5,000/- as costs, to the plaintiff.

10. Ordered accordingly.

August 27, 2025

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No