



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

122

CR-2903-2025 (O&M)

Date of Decision : 09.07.2025

M/s KRISHNA SHREE CONCRETE UDYOG & ORS

.... Petitioners

VERSUS

NOHMI BOSAI (INDIA) PVT. LTD

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Shreenath A. Khemka, Advocate for the petitioners.

Mr. Ashish Bansal, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. Mr. Ashish Bansal, Advocate has appeared and has filed his power of attorney on behalf of the respondent which is taken on record.
2. The present revision petition has been filed challenging the order dated 18.04.2025 (Annexure P-9) passed by the learned Trial Court whereby the opportunity granted to the defendant-petitioners for cross-examination of PW-1 was treated as 'nil' and PW-1 had been discharged.
3. Learned counsel for the defendant-petitioners would contend that given one opportunity the defendant-petitioners would cross-examine the plaintiff-respondent's witness PW-1. It is further the contention of the learned counsel that the defendant-petitioners are also willing to compensate the plaintiff-respondent by way of costs.
4. *Per contra*, the learned counsel for the plaintiff-respondent would contend that PW-1 was examined on 14.11.2024 and thereafter

despite last opportunity the said witness was not cross-examined and hence no fault can be found with the impugned order.

5. Heard.

6. In the present case the suit filed by the plaintiff-respondent is for recovery and in case the defendant-petitioners are not permitted to cross-examine PW-1, grave injustice would be occasioned to them. No doubt the defendant-petitioners have been remiss in not cross-examining the witness PW-1 despite numerous opportunities, however, keeping in view the nature of the suit and in the interest of justice, one effective opportunity is granted to the defendant-petitioners to cross-examine the witness PW-1 subject to payment of ₹30,000 (rupees thirty thousand) as costs to be paid to the plaintiff-respondent. The payment of costs shall be a condition precedent.

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

09.07.2025
Aman Jain

(ALKA SARIN)
JUDGE

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