
(2010) 11 P&H CK 0123
In the Punjab And Haryana At Chandigarh
Case No : C.R. No. 6195 of 2010

Raj Kumar @ Tejbir

APPELLANT

Vs

Raminder Singh and Others

RESPONDENT

Date of Decision : 23-11-2010

Acts Referred:

Citation : (2010) 11 P&H CK 0123

Hon'ble Judges : Alok Singh, J

Bench : Single Bench

Judgement

Alok Singh, J.—Present petition is filed challenging the order dated 19.08.2010 passed by the learned Civil Judge (Junior Division), Karnal,

whereby right of the Plaintiff to cross-examine the DW was closed.

Learned Counsel for the Petitioner states that on the date fixed, adjournment was sought which was declined and right to cross-examine was

closed. He further states that on the date as fixed by this Court or by the learned Trial Court, DW shall be cross-examined.

2. As per the report made by the Registry, service is complete, however, none has appeared on their behalf.

3. Keeping in mind, the golden rule that none should be given walk over and lis between the parties, as far as possible, should be decided at its

own merit after affording sufficient opportunities to both the parties to place on record entire evidence and material, this Court direct that learned

Trial Court shall fix a date for the purpose of examination. On the date so fixed, Plaintiff-Petitioner shall cross-examine the DW and for this

purpose, the said DW shall be produced at the expenses of Petitioner-Plaintiff. If, for any reason, examination is not complete on the date so fixed,

then learned Trial Court shall be at liberty to hold day-to-day trial or fix any future date, which is convenient to the Court. However, it is made clear that no further adjournment shall be granted to the Plaintiff-Petitioner. Petitioner shall pay Rs. 5,000/-as costs to the Respondents herein before the next date so fixed by the learned Trial Court. Petition shall stand disposed of accordingly.