

**ORDER SHEET**

**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

Civil Revision No. 41 of 2019

Mrs. Ejaz Alam

**Vs**

Arshad Mehmood Chaudhry, etc.

<b>S. No. of order/ proceedings</b>	<b>Date of order/ proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
---	---	--

03.      12-02-2020.      M/s Muhammad Arshad Khan and Muzammil  
Din Chaudhry, Advocates for the petitioner.

Through this petition the petitioner has assailed order, dated 25.10.2018.

2.      The learned counsel has contended that delay in cross-examining the witness was due to circumstances beyond his control as well as that of the petitioner. The learned counsel has stated that he was out of country and this fact was not taken into consideration by the learned trial court. He has further stated that while the proceedings before the learned trial court were pending he suffered serious heart ailment and was admitted for treatment in hospital. The learned counsel has, therefore, stated that if last and final opportunity is not afforded to cross-examine the witness, the petitioner will suffer irreparable loss.

3.      In view of the above and in order to meet the ends of justice, the instant petition is allowed, subject to payment of Rs.5000/- as costs to the plaintiff. Consequently the

impugned order, dated 25.10.2018 is hereby  
set aside. The petitioner shall be afforded a last  
opportunity to cross-examine the witness on a  
date fixed by the learned trial court

(CHIEF JUSTICE)

Saeed

Uploaded by IT Department, IHC