

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4035 OF 2019  
[@ SPECIAL LEAVE PETITION (C) NO. 8322 OF 2019]

JASMINE KAUR & ORS. Appellant (s)

VERSUS

MANJEET SINGH KOHLI & ORS. Respondent(s)

O R D E R

1. Though the written statement was not filed, however, in our opinion, the defendant has a right to cross-examine the witnesses even when the written statement is not filed. Hence, the approach of the learned Single Judge as well as the Division Bench of the High Court cannot be said to be correct.

2. Hence, we set aside the order(s) passed by the learned Single Judge as well as by the High Court and allow the cross examination of the witnesses and also to adduce evidence by the appellants.

3. In view of the above, the appeal is allowed.

.....J.  
[ ARUN MISHRA ]

.....J.  
[ NAVIN SINHA ]

New Delhi;  
April 22, 2019.

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 8322/2019

(Arising out of impugned final judgment and order dated 05-12-2018 in FA00S No. 102/2018 passed by the High Court Of Delhi At New Delhi)

JASMINE KAUR &amp; ORS.

Petitioner(s)

VERSUS

MANJEET SINGH KOHLI &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 22-04-2019 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE NAVIN SINHAFor Petitioner(s) Mr. Himanshu Upadhyay, Adv.  
Mr. P. N. Puri, AOR  
Ms. Ruby Sharma, Adv.For Respondent(s) Mr. S. K. Sharma, Adv.  
Mr. Krishan Kumar, AORUPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed  
of.(JAYANT KUMAR ARORA)  
COURT MASTER(ANITA RANI AHUJA)  
COURT MASTER

(Signed order is placed on the file)