

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

CR No.1696 of 2015 (O&M)

Date of Decision: 20.3.2015

Smt. Prem Kumari

...Petitioner

Versus

Mr. Narendra Singh

.....Respondent

CORAM: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Vikram Bali, Advocate for the petitioner.

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RAJESH BINDAL, J.

The petitioner/defendant is before this Court impugning the order dated 25.2.2015 passed by the learned court below, whereby application filed by her under Order 18 Rule 16 CPC was directed to be decided after framing of issues. The petitioner in the present case claimed that she is about 90 years of age and wanted her statement to be recorded. Learned trial court ordered that the application shall be decided on a later stage, after framing of issues.

Learned counsel for the petitioner submitted that on 12.3.2015, even the issues have also been framed, still the application filed by the petitioner under Order 18 Rule 16 CPC was not taken up and the case has been adjourned to 26.3.2015 for evidence of the respondent/plaintiff.

Considering the factual matrix as notice above, as the prayer made by the petitioner in the application Under Order 18 Rule 16 CPC has not been decided finally, this Court would not like to interfere in the present petition, at this stage. The petition is disposed of with the observation that as is mentioned in the order dated 25.2.2015 the application under Order 18 Rule 16 CPC was to be taken up after framing issues and the same has been done, the trial court shall now consider the same and decide the claim made by the petitioner on the next date of hearing.

(Rajesh Bindal)
Judge

20.3.2015

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