

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

CR No.6491 of 2015

Date of Decision: November 03, 2015

Malkit Singh

.... Petitioner

vs.

Mandeep Kaur

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Amit Dhawan, Advocate for the petitioner.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 24.07.2015 (Annexue P-5 and P-6) passed by learned Addl. District Judge, Jalandhar, whereby the request made by the counsel for the petitioner for deferring the further cross-examination of the respondent has been declined.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

It comes out that Mandeep Kaur (respondent herein) had filed a divorce petition against her husband Malkit Singh (petitioner herein). Lengthy cross-examination of witness Mandeep Kaur was done before lunch and after lunch. Thereafter, a request was made that the witness has been sending message to the present petitioner through social network and that said correspondence is lying in Germany. Therefore, adjournment was sought.

Learned Addl. District Judge had observed that Mandeep Kaur, witness had come present on 20.07.2015 and filed her affidavit. She had requested the court that she wants to go back to Australia on 25.07.2015 and her cross-examination be conducted within time. Therefore, the case was fixed for 22.07.2015 and she was partly cross-examined and her further cross-examination was deferred for 24.07.2015 for producing some documents. She again came present and produced the documents. Her lengthy cross-examination was conducted. She was to go back to Australia on the next day i.e. 25.07.2015. Therefore, the request for adjournment made by learned counsel for the respondent (present petitioner) was declined.

I am of the view that if some message through some social media were sent to opposite party at Germany, these could have been simply forwarded through internet and here in India their prints could be taken easily. Learned counsel had sufficient time to procure those messages through internet and could confront them to the witness. It appears that since the witness was to go back to Australia, therefore, the adjournment was sought with an intention, to prevent the witness from leaving for Australia.

I am of the view that the request for adjournment made by learned counsel was rightly declined by the learned Addl. District Judge, Jalandhar. The witness was sufficiently cross-examined at length.

Therefore, there is no ground to interfere in the impugned order.

Hence, the present revision petition stands dismissed.

(KULDIP SINGH)

JUDGE

November 03, 2015

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