

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

**Civil Revision No. 965 of 2015 (O&M)  
Date of Decision: 18.02.2015**

**Manpreet Kaur**

**... Petitioner**

**vs.**

**Sandeep Singh**

**... Respondent**

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

**Present:- Mr. K.S. Rekhi, Advocate  
for the petitioner.**

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**ANITA CHAUDHRY, J.**

The petitioner is aggrieved of the order dated 15.01.2015 passed by the Additional District Judge, Amritsar by virtue of which the application filed by her in the petition under Section 13 of Hindu Marriage Act filed by respondent, for recording her examination after she had exhausted her list of witness has been dismissed.

The grouse of the petitioner is that the provisions contained in Order 18 Rule 3-A CPC are not mandatory and are directory in nature and the Court below ought to have accepted the prayer of the petitioner to examine herself in the end after the examination of other witnesses. Reliance has been placed on **Mahabir Jain Kanya Pathshala Trust, Bhiwani & Anr. Vs. Daya Krishan & Ors. The Punjab Law Reporter Vol. CLIX(2010-3) 140, A. Ranga Reddy Vs. A. Ram Reddy, 2013(3) CCC 604 (AP) and Kondaveeti**

**Pranchis Vs. Mallarapu Lurdamma 1995(1) CCC 84(AP).**

I have considered the submission made on behalf of the petitioner. There is no dispute to the legal proposition, but the petitioner cannot derive any benefit therefrom. A plain reading of Order 18 Rule 3-A CPC shows that where a party himself wishes to appear as a witness, he shall so appear before any other witness on his behalf has been examined. The rule also provides an exception and that is, with the permission of the Court, a party may appear as his own witness and after his other witnesses have been examined but the Court has to record reasons for granting permission. In other words, it is the subjective satisfaction of the Court. The perusal of impugned order reveals that the the petitioner had failed to satisfy the Court as to what documentary evidence was to be produced and how it was relevant before her evidence. Before this Court also, learned counsel for the petitioner failed to justify or give any cogent reason as to why the petitioner wanted her examination in the end. When the evidence of the respondent husband was to commence, the petitioner had raised an objection by insisting that the statement of husband should be recorded first. The Court below rightly dismissed the application.

Dismissed.

**18.02.2015**

Jiten

**(ANITA CHAUDHRY)  
JUDGE**