

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WP227 No. 578 of 2016**

- Manik Lal Gupta S/o Shri Kemla Prasad Gupta, Aged About 52 Years R/o Arjun Nagar, Near The House Of Shriniwas Tiwari Amahiya, Village & Post- Amahiya, Thana Rewa, Civil & Revenue Distt. Rewa (Madhya Pradesh)

---- Petitioner**Versus**

- Smt. Vinita Gupta W/o Late Shri Rajesh Kumar Gupta, Aged About 30 Years R/o Near Dashahara Maidan, Infront Of Shani Mandir, Balodabajar, Thana & Tahsil Balodabazar, Civil & Revenue Distt. Balodabajar-Bhatapara, (Chhattisgarh)

---- Respondent

 For Petitioner : Mr. Sumit Shrivastava, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava
Order On Board

26/09/2016

Heard on admission.

1. Learned counsel for the petitioner submits that though the petitioner has applied for adjournment on sufficient ground, the Court below rejected the application mechanically without due consideration of illness of the petitioner. He further submits that if opportunity to lead evidence is closed, the petitioner is likely to suffer an adverse order of award of maintenance.
2. As the impugned order goes to show that the petitioner was granted adjournment number of times, but on 01.09.2016 the application for adjournment filed quite mechanically without there being any medical certificate on record, the Court below rejected the same, and closed opportunity of the petitioner to lead evidence. In the absence of any documents placed before the Court to satisfy for grant of further adjournment, Court below has rightly passed the order, no jurisdictional illegality has been committed by the Court below. It is found that the petitioner was granted sufficient opportunity. No miscarriage of justice has been done in closing the opportunity to lead evidence.
3. The petition is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
 Judge