

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
2016.01.18 17:50
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Civil Revision No. 305 of 2016
Date of Decision: 18.1.2016

Smt. Beena Devi

---Petitioner

versus

Tulsi Ram

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Saleem Ahmed, Advocate
for the petitioner

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

The present petition lays challenge to order dated 9.12.2015 (Annexure P-1) whereby evidence of the petitioner has been closed by order except to examine Record Keeper of Registrar, Nuh and the case has been adjourned to 20.1.2016.

Counsel for the petitioner contends that once the trial court has adjourned the case for examination of one of the witnesses of the petitioner/plaintiff, she is entitled to examine any other witness who happens to be present before the court on that date. It is further submitted that in the circumstances, the order passed by the trial court may be modified with a direction that the trial court would examine any other witness produced by the petitioner on 20.1.2016 besides Record Keeper of Registrar, Nuh summoned through process of the Court.

I have heard counsel for the petitioner and perused the records.

The submissions made by counsel for the petitioner appear to be meritorious and deserve to be accepted. Once the trial court has adjourned the case for evidence of the petitioner/plaintiff, may be for examination of a witness summoned through process of the Court, there was no reason for the trial court to pass a pre-emptory order closing any other evidence to be adduced by the petitioner/plaintiff. In this view of the matter, the impugned order is modified and the trial court is directed to examine all the witnesses of the petitioner/plaintiff present before the Court on 20.1.2016 besides the Record Keeper of Registrar, Nuh summoned through process of the Court.

Before parting with this order, it is pertinent to point out that the petition has been disposed of without notice to the respondent with an intent to save him from unnecessary harassment and expense. However, the respondent would at liberty to file an appropriate application in case he has any grievance to express.

Disposed of.

Copy of this order be given dasti.

(Rekha Mittal)
Judge

18.1.2016
PARAMJIT