

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

Crl. Revision No.(F)-334 of 2015(O&M)

Date of Decision: 18.03.2016

Mukesh Dhir

.. Petitioner

Vs.

Geetika Verma & Anr.

.. Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: - Mr. Sushil Bhardwaj, Advocate
for the petitioner.**

Respondent Geetika Verma in person.

ANITA CHAUDHRY, J.

This revision is directed against the order dated 26.11.2015 passed by the Family Court, Ambala.

Notice was given. Respondent Geetika Verma has appeared in person.

Heard.

Counsel for the petitioner states that the respondent had appeared and tendered her affidavit on 06.11.2015 and copy of the affidavit was supplied on that date and the case was fixed for 17.11.2015 for cross-examination and on that date, the petitioner failed to appear and the case was adjourned to 26.11.2015, on which date the counsel for the respondent was away to Haridwar and cross-examination could not be effected and the Court had dispensed with the cross-examination. It was urged that the petitioner should not be penalized for the absence of lawyer and there was a genuine reason and the case is not old

and they were seeking only one opportunity for cross-examination.

Respondent has produced some zimni orders and urges that the petitioner has been delaying the proceedings and they did not file the written statement in time and only when last opportunity was granted, reply was filed and cost of Rs.500/- was imposed on 13.07.2015. She states that even the maintenance has not been paid to her.

Counsel for the petitioner was not available on the day when the case was fixed for evidence of the petitioner. The matter is not old. The trial Court has closed the evidence without giving opportunity to the respondent to cross-examine the witness. The case could have been adjourned for one date.

The case is stated to be posted now for 30.03.2016. The petitioner is granted one opportunity to cross-examine the respondent. Respondent Geetika Verma is present in Court and has been asked to appear in person so that the cross-examination can be effected. The petition is allowed on payment of Rs.2000/- as costs to respondent Geetika Verma. Payment of cost will be a condition precedent.

March 18, 2016
Jiten

(ANITA CHAUDHRY)
JUDGE