

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 776 of 2017**

Inderjeet Singh Chakrel S/o Shri I. S. Chakrel Aged about 34 years, R/o Quarter No. 12/D, Street No. 08, Sector - 1, Bhilai District Durg Chhattisgarh.

---- Petitioner**Versus**

Smt. Jashmit Kour W/o Shri Inderjeet Singh Chakrel, Aged about 29 years, R/o House No. 286 / A, Dhillow House Gurudwara, Near Madan Mahal, Madan Mahal Jabalpur, District Jabalpur, Madhya Pradesh.

---- Respondent

For Petitioner : Mr. Jitendra Nath Nande, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/10/17**

1. Learned counsel appearing on behalf of the petitioner would submit that the petitioner has already examined himself before the Family Court, Durg but the opportunity to examine his two other witnesses namely- Shri I.S. Chakrel (father) and Shri Jaswant Singh has been denied by the Family Court, Durg by impugned order dated 13.09.2017, although an affidavit under Order 18 Rule 4 of the CPC has been filed by the petitioner's father.
2. I have heard learned counsel for the petitioner and perused the impugned order with utmost circumspection.
3. Since the petitioner / plaintiff has already been examined and the statement under Order 18 Rule 4 of the CPC has also been filed by the petitioner's father Shri I.S. Chakrel and the other witness Shri Jaswant Singh and as the trial is at initial stage, it will be expedient to allow the petitioner to examine his father and the other witness on the next date of hearing i.e. on

13.11.2017 subject to payment of cost of Rs. 4,000/- to the respondent/ defendant. However, the defendant would be at liberty to move an application for modification of the order, if she is aggrieved. It is also made clear that no further adjournment shall be granted on that date.

4. With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)

Judge