

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 7533 of 2016 (O&M)
Date of Decision: 12.12.2017**

Sita Devi

.....Petitioner

Versus

Karanvir Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rose Gupta, Advocate
for the petitioner.

Ms. Charu Sharma, Advocate
for respondent No. 1.

ANITA CHAUDHRY, J

The petitioner is aggrieved by the dismissal of the application. They wanted a Local Commissioner to be appointed to record her statement at her residence in Hisar.

I have heard both the sides.

Counsel for the petitioner contends that the petitioner is aged and not keeping well and she is more than 75 years of age and suffering from old age related diseases and they had filed the record of her treatment taken from Fortis Hospital, Mohali and they wanted that the Local Commissioner to visit her residence and record her statement and they were willing to pay the expenses but their plea has been rejected. The counsel further submits that though the residence as noted is just a kilometer away but the petitioner is unable to climb stairs and the Court is on the first floor.

The counsel appearing for respondent No. 1 urges that the

Mohali for her treatment and it was not difficult for her to come to the Court which is just one kilometer away and a request can be made to the Court and the Court can make some arrangements in case need arises. The counsel further submits that generally the affidavit is tendered by way of examination-in-chief and for that purpose the petitioner will have to visit the Notary to get it attested.

I find no merit in the petition. No doubt the petitioner is aged and must be suffering from age related problems but the petitioner cannot insist that the Local Commissioner should visit her residence to record her statement. It is not the case of the petitioner that she is bedridden. The dispute is within the family as is discernible from the memo of parties. The dispute is between the sons and daughters of Dalip Singh. If the petitioner has difficulty climbing stairs, it would be the duty of the petitioner to inform the Court in advance and the Court would consider the prayer and make appropriate arrangements for recording her statement on the ground floor but in the Court complex.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

December 12, 2017
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No