

**108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CR No.6277 of 2017 (O&M)
Date of decision : January 08, 2018**

Amanpreet Kaur

..... Petitioner

Versus

Kanwalvir Singh Kang and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Tarun Preet Kaur, Advocate for the petitioner
(Legal Aid Counsel).

Respondent No.1 in person along with
Mr. Lupil Gupta, Advocate for Mr. Sachin Jain, Advocate.

1. Whether the Reporters of local newspaper 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 ?

KULDIP SINGH J. (ORAL)

Heard.

Petitioner has impugned the order dated 02.02.2017 (Annexure P-1) vide which learned Addl. District Judge, Chandigarh closed the cross-examination of PW5 by the petitioner on the point of cruelty. Petitioner has also assailed the order dated 20.04.2017 (Annexure P-2) and order dated 17.01.2017 (Annexure P-3) passed by the learned Addl. District Judge, Chandigarh.

It comes out that a matrimonial litigation is pending before the trial court.

A perusal of the impugned order dated 02.02.2017 (Annexure P-1) shows that in this case, on the point of cruelty only cross-examination conducted running into 180 pages. As per impugned order, 30 opportunities have been granted for the same.

However, according to learned counsel for the petitioner, 20 opportunities have been granted for cross-examination only on the point of

A further perusal of impugned order shows that the petitioner was pressing that cross-examination should be conducted in her presence for which she was getting adjournments. It appears that unnecessary adjournment are being sought and precious time of the court is being wasted. The cross-examination on the point of adultery is yet to begin. Going by the conduct of the parties, the cross-examination on the point of adultery may also run into 100 or more pages.

In these circumstances, the parties cannot be allowed to hold up the court proceedings. There are other cases, which are to be dealt with. Thus, I do not find any illegality or infirmity in the impugned orders dated 02.02.2017 (Annexure P-1), 20.04.2017 (Annexure P-2) and order dated 17.01.2017 (AnnexureP-3). As such, the present revision petition is dismissed.

The trial court is directed to get tough in granting adjournments to both the parties. The trial court is further directed to actively supervise the cross-examination and not allow unnecessary and frivolous questions, so as to cut short the cross-examination and save the precious time of the court. It is also directed that whenever the case is fixed, it shall be the duty of the parties and their counsel to be present, failing which the Court may proceed, in accordance with law. It is also directed that the case will not be transferred to any other court without prior permission of this Court.

(KULDIP SINGH)
JUDGE

January 08, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No