

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 828 of 2019

- Heeranand Bhawnani S/o Khushaldas Bhawnani Aged About 38 Years
R/o Sindhi Mohalla, Masanganj, Bilaspur, Tahsil And District Bilaspur,
Chhattisgarh

---- Petitioner

Versus

- Smt. Renu Devi Manuja @ Renu Manuja W/o Shri Ashok Manuja R/o
Nariyal Kothi, Dayalband, Tahsil And District Bilaspur, Chhattisgarh.
Through The Power Of Attorney Ashok Manuja S/o Shrichand Manuja,
Aged About 54 Years, R/o Nariyal Kothi, Dayalband, Tahsil And District
Bilaspur, Chhattisgarh

---- Respondent

For Petitioner : Mr. Vipin Punjabi, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-11-2019

Heard.

1. This petition has been brought being aggrieved by the order of adjournment passed by the trial Court in Civil Suit No.89/2015 granting further time to the plaintiff/respondent for presenting plaintiff evidence.
2. Learned counsel for the petitioner submits that on 03.10.2018, the trial Court granted adjournment to the respondent's side without mentioning the sufficient reasons as it is required under Order 17 Rule 1 of C.P.C. which is arbitrary. Therefore, the opportunity for bringing evidence by the respondent should be closed.
3. According to the document filed, the last adjournment was taken by the respondent on 03.10.2018, and it is mentioned that on that date, the father of the learned counsel appearing for the respondent was suffering

from illness and was admitted in the hospital. It is informed by the learned counsel for the petitioner that subsequent to that order, one witness has been examined by the respondent. There does not appear to be any reason for passing any specific order in this case. However, looking to the length of pendency of the Civil Suit and the approach of the trial Court in granting adjournments frequently without giving much consideration to the pendency of the case, I feel inclined to dispose off this petition with following direction:-

(a) The trial Court is directed to conclude the trial preferably within a period of 9 months from the date, this order is communicated to the said Court.

4. Accordingly, the petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Monika