

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CR.R. No. 1559 of 2019

Satish Kumar Yadav, S/o. Tiharu Ram Yadav, Aged About 29 Years, R/o. Anas Niwas Near Rahul Dhaba Mopka Police Station Sarkanda, Tahsil And District Bilaspur Chhattisgarh.

---- Applicant

Versus

Smt. Bhumika Yadav, W/o. Satish Kumar Yadav, D/o. Ram Ashraya Yadav, Aged About 27 Years, R/o. Qr. No. E - 158, Ketu Vihar, HTPS Colony, Tahsil Katghora, District Korba Chhattisgarh.

-----Respondent

For Applicant : Mr. R.K. Gupta, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

11/12/2019

1. This revision petition has been brought being aggrieved by the order passed by the Family Court, Camp Court Katghora, District – Korba dated 07.11.2019 in Case No.193 of 2016, closing the opportunity of the applicant for producing evidence.
2. It is submitted that on 07.11.2019, the applicant was present in Family Court, Bilaspur in Civil Suit No.335-A/2019 and also he gave his appearance before the Court of Judicial Magistrate First Class, Bilaspur on the same day in an unregistered case under Protection of Women from Domestic Violence Act. Copies of the order sheets are produced, which shows the appearance of the applicant in those cases at Bilaspur on that date. Therefore, his non-appearance before the learned Family Court Camp Kagthora was for sufficient reason. Hence, closure of his opportunity is

inappropriate and he should be granted one more opportunity for producing evidence and complying with the order of the Family Court.

3. On perusal of the impugned order itself it is found that the applicant was represented by the counsel and the Court was informed regarding the reasons for his non-appearance, as the applicant has present in other cases pending in Bilaspur, which has not been taken into consideration, regarding which explanation has been given in this revision petition.
4. Hence, I am of this view that the applicant should be given one more opportunity to comply with the order of the Family Court and produce his evidence. Hence, the impugned order dated 07.11.2019, passed in Case No.193 of 2016, by the Family Court, Camp Court Katghora, District – Korba is set-aside and the learned Family Court Camp Katghora is directed to afford one more opportunity to the applicant for producing evidence and comply with the order, if any. The applicant is directed to appear before the Family Court on the date fixed and make prayer for fixing a date for his evidence.
5. Accordingly, the petition is disposed off.

Certified copy today.

Sd/-
(Rajendra Chandra Singh Samant)
Judge