

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

134

CR No.441 of 2019
Date of decision: 21.01.2019

Ranisha Dahiya

..... Petitioner

Versus

Dinesh Chahal

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sachin Mittal, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Wife-petitioner, respondent in a petition for dissolution of marriage filed under Section 13 of the Hindu Marriage Act, 1955 is assailing the order passed by the Family Court closing her evidence.

Learned counsel for the petitioner has submitted that the husband was granted one year and 8 months to conclude his evidence whereas the wife has only been granted three months. He has drawn attention of the Court to the fact that first opportunity granted to the wife was on 27.09.2018 whereas the impugned order was passed on 14.01.2019 while recording that 10 effective opportunities have already been granted.

It is appreciable that the Courts are making sincere attempt to dispose of the cases expeditiously, however, there cannot be such a big disparity between the petitioner and the respondent. The Court should grant sufficient time to the respondent-wife to collect evidence and produce it before the Court.

Keeping in view the aforesaid facts, the order under challenge

is set aside. Learned counsel for the petitioner has undertaken to file an affidavit and produce the evidence provided two opportunities are granted.

Keeping in view the aforesaid assurance given by learned counsel for the petitioner, learned Family Court would grant two opportunities with a gap of at least one month to the wife to conclude her evidence. If such an affidavit is filed on the next date of hearing, the order would be deemed to have been set aside and the Court would proceed to grant opportunity to the respondent-wife in the petition before the Court below, the petitioner herein.

Revision petition is allowed.

Since this order has been passed without issuing of notice, the husband, if feels aggrieved, would be entitled to move an application for recall.

21.01.2019
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No