

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CR No.8385 of 2018(O&M)
Date of Decision-31.01.2019**

Meena Devi

... Petitioner

Versus

M/s Ajnabi Tie Up Pvt. Ltd. and others

... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Vermani, Advocate for the petitioner.

Mr. Kabir Sarin, Advocate respondents No.1 and 2.

Mr. Sandeep Kumar, Advocate for respondents No.4, 6,
9, 10 and 11.

RAJ MOHAN SINGH, J.

[1]. Petitioner has preferred this revision petition under Article 227 of the Constitution of India for exercising extraordinary supervisory jurisdiction of this Court for issuance of a direction to Civil Judge (Junior Division), Gurugram to decide the pending civil suit within stipulated period in view of numerous opportunities granted to the plaintiffs for leading their evidence.

[2]. The evidence of the plaintiffs was closed after granting numerous opportunities to them for leading their evidence including many last opportunities that too on their own responsibility. The evidence of the plaintiffs was closed on 11.04.2017 and thereafter, evidence of the defendants was started. Petitioner is defendant No.2 in the suit and defendants *inter se* have some conflicting interest and

therefore, leading of defendants evidence is being delayed for one reason or the other.

[3]. Learned counsel for the petitioner by referring to numerous orders on record submitted that firstly the evidence of the plaintiffs was delayed and after its closure on 11.04.2017, evidence of the defendants is being delayed despite the order dated 02.05.2017 vide which remaining evidence of the defendants was ordered to be produced at their own responsibility. Petitioner appeared as DW-3 and tendered her evidence along with documents Exs.D2 to D5 in her examination-in-chief on 22.05.2017. Cross-examination of the petitioner along with Sushil Kumar (DW-4) was deferred at the instance of learned counsel for other defendants No.3 to 10. The case was adjourned to 07.04.2017 for cross-examinations of the petitioner and aforesaid Sushil Kumar (DW-4). Again on the adjourned date, cross-examinations of aforesaid witnesses could not be done and the same were deferred at the instance of defendants No.3 to 10 subject to payment of costs. Cross-examination of the petitioner was conducted by learned counsel for defendants No.3 to 10 on 27.07.2017, but her further cross-examination was deferred at the instance of learned counsel for the plaintiffs. By referring to numerous orders on record, learned counsel further submitted that the case is being delayed for one reason or the other despite the fact that the suit was filed on 30.06.2011.

[4]. Notice of motion was issued on 10.12.2018. Plaintiffs/respondents No.1 and 2 have been represented by Mr. Kabir Sarin, Advocate. Respondent No.4 has been represented by Mr. Sandeep Kumar, Advocate who has also filed memo of appearance on behalf of respondents No.6, 9, 10 and 11.

[5]. Keeping in view the nature of prayer made by the petitioner, this Court is of the opinion that none of the parties would be having any objection for early disposal of the case keeping in view the fact that the suit was filed on 30.06.2011 and the same is pending after crossing different stages.

[6]. In view of facts and circumstances of the case, I deem it appropriate to direct the trial Court to make every endeavour to decide the suit by giving short adjournments and avoid unnecessary adjournments in the case. It will be appreciated if the trial Court decides the case within a period of eight months from the date of receipt of certified copy of this order. In case of any impediment, trial Court shall seek necessary extension for disposal of the suit by making appropriate reference to this Court in time.

[7]. Disposed of.

(RAJ MOHAN SINGH)
JUDGE

31.01.2019
Prince

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No