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

**Civil Revision No.1966 of 2019 (O&M)
Date of Decision: 20.03.2019**

LAJWANTI AND OTHERS

.....Petitioners

Vs

SURJEET BAHADUR (HUF) AND OTHERS

....Respondents

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

Present: Mr. Ravi Dutt Sharma, Advocate
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

[1]. This revision petition has been preferred against the order dated 01.03.2019 passed by the Civil Judge (Jr. Divn.) Kaithal, vide which the application for exemption of witness Rajesh Kumar from personal appearance was dismissed.

[2]. Perusal of the record would show that the list of witnesses was filed on 22.10.2018. Name of Rajesh Kumar was not mentioned in the said list as a cited witness. The prayer for impleadment of Rajesh Kumar as party defendant in the suit is pending consideration before the High Court in CR No.8726 of 2017. As on date Rajesh Kumar is not a party to the *lis*.

[3]. Perusal of the record would further show that the

evidence of the petitioners was closed on 28.08.2018 and thereafter evidence of the defendants started w.e.f. 24.09.2018. The defendants have already availed 10 effective opportunities along with last opportunity at their own responsibilities to conclude their entire evidence. Even on 05.02.2019 and 15.02.2019, the case was adjourned to enable the defendants to conclude their evidence, otherwise their evidence was deemed to be closed by order of the Court.

[4]. The filing of application for exemption appears to be a devise to delay the proceedings and to circumvent the rigor of orders dated 05.02.2019 and 15.02.2019 which were passed by the trial Court with deeming fiction.

[5]. In view of above, no indulgence can be granted to the petitioner in this revision petition. The same is accordingly dismissed.

March 20, 2019	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No