

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

219

CR-162-2019 (O&M)

Date of decision: 06.01.2020

KAMALJEET KAUR

.. Petitioner

Versus

DALJINDER SINGH SANDHU AND ORS

.. Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Gagandeep Singh Simble, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

Challenge in the present petition has been directed against order dated 14.11.2018 (Annexure P1) passed by the Additional Civil Judge (Sr. Div.), Ludhiana whereby evidence of the petitioner/plaintiff was closed by order.

Notice to respondent No.1 could not be issued as counsel for the petitioner did not file the requisite process for service of respondent No.1 in Australia. Notice issued for service of respondents No.2 and 3 received back with the report that house was found locked.

Vide order dated 14.01.2019, the trial Court was directed to adjourn the case after the date fixed before this Court. Interim order was continued vide order dated 05.02.2019. Thereafter, the case was not taken up.

The primary grievance of the petitioner is against order closing her evidence. In place of delaying the proceedings of the suit filed way-back in the year 2011, it would be in the fitness of things that petition is disposed of but with liberty to the petitioner to file an appropriate application before the trial Court for review of order closing evidence, in the light of judgment

of this Court **State of Punjab Vs. Ajmer Singh, 2009(2) RCR (Rent) 169.**

In view of what has been discussed hereinbefore, the petition stands disposed of. The petitioner is left at liberty to file an appropriate application for review of order closing her evidence and the same shall be decided by the trial Court, in accordance with law.

Nothing stated hereinbefore shall be construed as an expression of opinion qua merits of the impugned order.

06.01.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No