

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No.513 of 2020

- Surabhi Singh Rajput D/o Shri Rishi Singh Rajput, Aged About 19 Years (Mentioned In The Order Sheet Of Court Below W/o Rupendra Singh Gautam) R/o Near Sheetala Temple, Ward No.-01, Pikari Para, Bemetara, Thana And District - Bemetara Chhattisgarh

---- Applicant

Versus

- Rupendra Singh Gautam S/o K.S. Gautam, Aged About 23 Years R/o Ward No.6, Chikhala Kasaa, Thana - Rajahara, Tehsil Daundi, District - Balod Chhattisgarh

---- Non-applicant

For Applicant

– Mr. Sanjay Patel, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-01-2021

Heard.

1. This petition has been brought seeking indulgence of this Court under Article 227 of Constitution of India to interfere with the impugned order dated 03.02.2020 passed by the learned Family Court, Balod, C.G. closing the opportunity of cross-examining the witnesses of the respondent side.
2. The respondent has filed the Civil Suit under Section 9 of Hindu Marriage Act, in which the petitioner is respondent. The case was fixed for 03.02.2020 for cross-examination of the witnesses of the respondent/applicant. The senior counsel engaged by the petitioner was not present on that date, therefore, she requested for adjournment. The learned Family Court decided adjournment has closed the opportunity of the petitioner.

3. Considering on the submissions made by the learned counsel for the petitioner, the petition is disposed off at motion stage without notice to the respondent side. It is ordered and directed that the learned Family Court shall give one more opportunity to the petitioner for cross-examining the witnesses of the respondent/applicant side. A date may be fixed as trial opportunity to petitioner for cross-examining the respondent witnesses by the learned Family Court according to its suitability.
4. Accordingly, this petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Monika