

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

CR-359-2021

Date of Decision: September 06, 2021

Smt. Santosh Kumari

...Petitioner

Versus

Mrs. Jodhshree

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Kunal Dawar, Advocate,
for the petitioner.

Mr. Deepender Singh, Advocate,
for the respondent.

SUDHIR MITTAL, J.

The defense of the petitioner has been struck off vide impugned order dated 28.01.2020, passed by the learned Civil Judge (Junior Division), Faridabad.

Learned counsel for the petitioner submits that the petitioner-Santosh Kumari may be granted just one opportunity to examine herself and for cross-examination. No further date is required. The petitioner is also willing to pay costs.

Learned counsel for the respondent submits that five opportunities were granted to the petitioner to lead her evidence but she failed to do so. Thus, the learned Trial Court was justified in closing her evidence.

I have heard learned counsel for the parties and perused the record.

The next date of hearing before the Trial Court is

10.09.2021. Since the petitioner seeks only one opportunity to examine herself and for cross-examination, I deem it appropriate to allow this revision petition, subject to payment of costs of Rs. 10,000/- by the petitioner to the plaintiff-respondent.

Impugned order dated 28.01.2020 is accordingly set aside. Subject to payment of costs, the petitioner is permitted to file her affidavit on the next date of hearing, i.e. 10.09.2021, with copy in advance to the counsel for the plaintiff-respondent. The plaintiff-respondent shall cross-examine her on the same day. No further opportunity for the purpose shall be granted.

Civil revision petition stands disposed of.

(SUDHIR MITTAL)
JUDGE

September 06, 2021

P Kapoor

Whether Speaking/Reasoned: YES/NO

Whether Reportable: YES/NO ✓