

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(116)

CRM-M-51362-2021

Date of Decision: 09.12.2021

Shiv Kumar Gupta & another

--Petitioners

Versus

Mayuri Gupta

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Piyush Hans, Advocate for the petitioners.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

After arguing for some time learned counsel for the petitioners candidly submits that petitioners may be relegated to avail their remedies before the Trial Court. However, petitioners are senior citizens and they have to travel all the way from Delhi to Gurugram and therefore prays for grant of exemption from personal appearance.

The Court finds the prayer to be genuine.

In view of the above position, present petition is disposed of with a direction to the learned Trial Court to consider the application, if any, moved by the petitioners for the grant of exemption from their personal appearance during trial subject to the petitioners filing affidavit to the following effect:-

1. That petitioners will have no objection if the statements of witnesses are recorded in their absence but in the presence of their counsel.
2. That they will appear before the trial Court as & when required to do so by it.
3. That they will abide by any other condition imposed by the trial Court while granting them exemption from personal appearance.

(RAJESH BHARDWAJ)
JUDGE

09.12.2021

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No