

CRR-(F)-193-2022

Date of Decision: 15.3.2022

Gaurav Kasera

..... Petitioner

Versus

Anita Kasera and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. A.S. Likhari, Advocate, for the petitioner.

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.

The present revision petition has been filed by the petitioner assailing the order dated 8.2.2022 passed by the learned Principal Judge, Rewari, whereby, his application for summoning the witnesses after closure of his evidence was declined.

Learned counsel for the petitioner submits that by way of evidence the petitioner wants to examine two witnesses, i.e. his parents only and in case the same is not allowed, he will suffer an irreparable loss. He has further submitted that on 5.1.2022 the mother of the witness died because of which he could not produce the witnesses and learned trial Court after declining his request for adjournment, closed his evidence by order.

Heard.

A perusal of the file shows that the evidence of the petitioner was closed on 5.1.2022 after affording him five opportunities and now by way of evidence he wants to examine his parents. The case is stated to be pending before the trial Court for 29.3.2022. In the interest of justice, the petitioner is required to be given an opportunity to examine the said witnesses.

The revision petition is disposed of without issuing notice to the respondents as resorting to that will result in wastage of time of the Court as well as of the parties. So without commenting anything on the merits of the case, the present revision is disposed of with a direction that the petitioner will be afforded two opportunities to examine the abovesaid witnesses subject to costs of Rs.10,000/- to be paid to the respondents on 29.3.2022. The trial Court is requested to grant two opportunities i.e. on 29.3.2022, the date already fixed before it and next date to be given by the trial Court as per its convenience for the purpose of examining abovesaid witnesses. It will be responsibility of the petitioner to bring and examine the said witnesses and no further opportunity beyond two dates will be afforded to him.

(RAJESH BHARDWAJ)
JUDGE

15.3.2022
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No