

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

107

CR-1561-2023

Date of decision : 14.03.2023

Reena Kumari

... Petitioner

Versus

Ajay Kumar and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. J.P. Sharma, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the order dated 31.01.2023 (Annexure P-1) whereby her evidence has been closed.

Learned counsel for the petitioner/defendant submits that the petitioner could not lead evidence before the trial Court on 31.01.2023 as her son had to appear in Joint Entrance Examination at Ghaziabad. Her husband is working as Head Constable in ITBP and posted in Arunachal Pradesh. She is solely bearing the responsibility of her son. Learned counsel prays for only one opportunity to lead the evidence.

Heard.

Respondent No.1/plaintiff has filed a suit for recovery against the petitioner and respondent No.2. The petitioner had been granted several opportunities to lead her evidence. However, on 31.01.2023, her minor son is stated to have gone to Ghaziabad to take the Joint Entrance Examination. A copy of the admit card for 31.01.2023 is at Annexure P-10. It would be in the interest of justice if the petitioner is afforded one effective opportunity to lead her evidence.

Consequently, the petition is allowed and the impugned order dated 31.01.2023 (Annexure P-1) is set aside. The petitioner would be afforded one effective opportunity to lead her evidence. However, it is made clear that the petitioner shall not make any effort to delay the proceedings in any manner.

This order has been passed without issuance of notice to the respondents as doing so would delay the proceedings. In the event of the respondents being aggrieved of the order, they would be at liberty to prefer an application in that regard.

(ANUPINDER SINGH GREWAL)
JUDGE

March 14, 2023
sonia gugnani

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