

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

114

CR No.2309 of 2023

Date of decision: 19.04.2023

Bharti Chauhan

....Petitioner

V/s

Lt. Col. Ankush Batra

....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Raminder Singh Joon, Advocate with
Mr. L.K. Yadav, Advocate for the petitioner.

Respondent in person.

VIKAS SURI, J. (Oral)

This revision petition has been filed under Article 227 of Constitution of India for issuance of direction to the Principal Judge, Family Court, Panchkula to conclude the cross-examination of the petitioner-wife on the next date.

It is pleaded that the respondent has filed a petition under Section 13 of the Hindu Marriage Act, 1955 against the petitioner-wife, for dissolution of marriage by way of decree of divorce on the ground of desertion and mental cruelty, harassment and torture meted out to him after solemnization of marriage between the parties. The trial is pending before the Principal Judge, Family Court, Panchkula and is at the stage of respondent's evidence. Learned counsel for the petitioner submits that the petitioner-wife filed her evidence in examination-in-chief through her affidavit, Ex.RW-1/A, on 12.12.2022. Thereafter, she was cross-examined on 20.12.2022, 06.03.2023 and 06.04.2023 but further cross-examination was deferred as the Court time was over. It is submitted that the case is now

pending for 25.04.2023 for remaining cross-examination of the petitioner-wife (RW-1 Bharti Chauhan) and remaining evidence of the respondent. It is alleged that the respondent-husband is purposely prolonging the cross-examination, which is causing undue harassment to the petitioner-wife.

Lt.Col. Ankush Batra, respondent in person, has put in appearance at this stage and filed in Court a copy of his aadhaar card, which is taken on record. He submits that the cross-examination of petitioner-wife was spread over different dates not because of any willful design but on account of other reasons like want of a document to be produced by the witness, paucity of Court time or at the request of the witness herself. He further submits that in case the petitioner-wife appears in Court on the next date by 11:00 A.M. and presents herself for cross-examination, he undertakes before this Court to conclude the cross-examination on the same day. As per his understanding, remaining cross-examination is not likely to take more than 20/25 minutes.

Heard learned counsel for the petitioner and respondent in person.

Learned counsel for the petitioner submits that that in view of the stand taken by the respondent-in-person before this Court, which is acceptable to the petitioner, the present petition be disposed off in terms of the consensus arrived at.

In view of the respective submissions and consensus noticed above, this petition is disposed of with the direction to the petitioner to appear before the Principal Judge, Family Court, Panchkula on 25.04.2023 i.e. the date already fixed at 11:00 a.m. and present herself for cross-

examination and a further direction to the respondent to conclude her remaining cross-examination on that date itself.

Needless to observe, Principal Judge, Family Court, Panchkula would also endeavor to record the remaining evidence of the respondent on the said date.

This petition is disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

April 19, 2023
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No