

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**105**

CRR(F)-1141-2023

Date of Decision: 08.08.2023

Kirna Devi and another

.... Petitioners

Versus

Puran Singh

.... Respondent

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: - Mr. A.S. Bhatti, Advocate for the petitioners.

**NIDHI GUPTA, J. (ORAL)**

Challenge in the present revision petition is to the order dated 16.05.2023 passed by the learned Family Court, Dasuya, vide which the evidence of the petitioners in a petition filed under Section 125 Cr.P.C. for grant of maintenance was closed by order.

Learned counsel for the petitioners, *inter alia*, contends that marriage between the parties was solemnized on 12.04.2015 according to the *Sikh Rites* and out of the said wedlock one girl child was born, who is in care and custody of petitioner No. 1-wife. Due to temperamental differences between the parties, they started living separately. Petitioner No. 1-wife has failed to produce any evidence before the learned Family Court on 16.05.2023, because talks of compromise are going in between the parties and this fact has been brought to the notice of the learned Family Court orally, but despite that the learned Family Court, has closed the evidence of the petitioners by order. Thus, it is prayed that in the interest of justice, one effective opportunity may be granted to the

petitioners to conclude their entire evidence, as grave injustice will be caused to them, if, they are not permitted to do so.

Notice of motion in the present case is being dispensed with at this stage, as that will only cause further delay in disposal of the case.

After giving anxious consideration to the submissions made by learned counsel for the petitioners and keeping in view the facts and circumstances of the case, this revision petition is allowed and impugned order dated 16.05.2023 is set aside. The learned Family Court is directed to grant one effective opportunity to enable the petitioners to conclude their entire evidence at their own responsibility, however, subject to payment of Rs.10,000/- as costs to be deposited with Punjab and Haryana High Court Lawyers' Welfare Association Fund, Chandigarh.

The instant revision stands disposed of, accordingly.

**08.08.2023**

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**( NIDHI GUPTA )  
JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**