

Neutral Citation No.2023:PHHC:149276

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

122

**CRM-M No.46860 of 2023 (O&M)
Date of Decision: 22.11.2023**

Kewal Kumar @ Kewal Sharma

... Petitioner

Versus

Neeraj Sharma

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Inderpal Singh Issar, Advocate,
for the applicant-petitioner.

MANISHA BATRA, J.

CRM-48746-23

In compliance of order dated 05.10.2023 passed by this Court, the petitioner has filed this application for placing on record the copies of the zimni orders of the trial Court. The application is allowed and the abovesaid copies of orders are ordered to be placed on record.

Main Case

Heard.

The instant petition has been filed by the petitioner on the grounds that a petition filed by the respondent under Section 127 of Cr.P.C. is pending before Principal Judge, Family Court, Panchkula.

Neutral Citation No.2023:PHHC:149276

Prayer in the said petition has been made by the respondent for enhancement of the maintenance amount. The evidence of the present petitioner was closed in the said proceedings as on 01.11.2021. The petitioner has now retired from his service from Postal Department on 31.08.2023 and wants to produce a document in proof of the same, on record of the abovementioned case but has not been permitted to do so due to the reason that his evidence was already closed. Hence, prayer has been made by him for granting him one opportunity to produce this document on record which has been annexed with this petition as Annexure P-2.

The petitioner was directed to place on record copies of zimni orders as passed by learned Principal Judge. The same have been produced on record and show that the evidence of the present petitioner had been closed by order of the Court on 01.11.2021 and then the application moved by him for adducing additional evidence had been dismissed vide order dated 16.09.2022. The petitioner is contesting an application filed by the respondent for enhancement in the maintenance amount. He wants to produce Annexure P-2 which is document regarding Commuted Value Payment after his retirement as issued by the Postal Department. In my considered opinion, the production of this document would be relevant for just and proper decision of the proceedings as pending learned Principal Judge, Family Court, Panchkula. Therefore, the petition is allowed. direction is given to the learned Principal Judge, Family Court, Panchkula to allow the petitioner, one opportunity to produce the document Annexure P-2 with regard to retirement and amount of commuted pension of the petitioner. It is made clear that the petitioner shall produce this document on

Neutral Citation No.2023:PHHC:149276

the next date of hearing as fixed before learned trial Court and no other opportunity shall be given to him for this purpose.

22.11.2023
manju

(MANISHA BATRA)
JUDGE

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