

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

130

CR-5449-2023

Date of Decision : 20.09.2023

Dr. Asha

....Petitioner

Versus

Braham Pal Yadav and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Kamal Chaudhary, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The challenge in the present revision petition is to the order dated 05.05.2023 (Annexure P-5) passed by learned Civil Judge (Junior Division), Faridabad in Civil Suit No.401 of 2016 tilted as 'Braham Pal Yadav Vs. Dharmender Singh Yadav and another' whereby the evidence of the petitioner/defendant has been closed by order.

2. Learned counsel for the petitioner, inter alia, contends that the petitioner/defendant No.2 has been granted only 03 opportunities for leading her evidence starting from 20.02.2023 and the same has been closed vide order dated 05.05.2023. He submits that the plaintiff was granted 31 opportunities for leading his evidence. The petitioner/defendant No.2 seek one more last opportunity to lead her entire evidence.

3. I have heard learned counsel for the petitioner and perused the relevant documents.

4. Keeping in view the facts and circumstances of the present case, it would be appropriate to grant one more opportunity to the

petitioner/defendant No.2 to adduce her evidence. Consequently, the present petition is allowed, the impugned order dated 05.05.2023 is set aside and one more last effective opportunity is granted to petitioner/defendant No.2 to conclude her evidence, on the date that shall be granted by the trial Court.

5. Keeping in view the relief claimed in the present petition, this Court is not inclined to issue notice to the respondents to avoid unnecessary expenditure which they will incur for their appearance and to engage a counsel.

6. Needless to say that the respondents would be at liberty for recalling of this order by moving an appropriate application, if so aggrieved.

20.09.2023	(NAMIT KUMAR)
<i>Kothiyal</i>	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No