

135.

2023:PHHC:135189

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

CR-5679-2023

Date of decision: 17.10.2023

MANJEET SINGH

.... Petitioner

Versus

BALJIT KAUR

.... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Krishan M. Vohra, Advocate, for the petitioner.

GURBIR SINGH, J. (Oral)

Petitioner-husband has filed the present civil revision petition under Article 227 of the Constitution of India for setting aside the order dated 01.07.2023 (Annexure P-1) passed by learned Principal Judge, Family Court, Kurukshetra whereby his evidence has been closed by Court's order.

The respondent-wife has filed a petition under Section 13 of the Hindu Marriage Act for grant of decree of divorce. Vide impugned order dated 01.07.2023, the learned Principal Judge, Family Court, Kurukshetra observed that the petitioner-husband has been given numerous opportunities to conclude his evidence, but he failed to do so. Hence, his evidence was closed.

It is submitted that the petitioner wants to examine his eldest daughter, who is an eyewitness of all the facts and circumstances which are essential for better adjudication of the case. He has prayed for one more opportunity to examine the witness.

I have heard the submissions of learned counsel for the petitioner.

Neither any list of witnesses was filed nor witnesses were produced in the Court. The learned trial Court granted last opportunity and then final last opportunity but petitioner failed to conclude the evidence. Already sufficient opportunities have been granted to the petitioner to lead evidence and learned trial Court has closed the evidence in accordance with the law. So, no ground is made to grant more opportunity to the petitioner to lead more evidence.

Without going into the merits of divorce petition, the present petition is disposed of with a direction that if a request for mediation is made, then the court concerned may send the case for mediation before proceedings further in the matter.

(GURBIR SINGH)
JUDGE

October 17, 2023

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No