

2024:PHHC:085652



S. No.139

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-3832 of 2024

Date of Decision:10.07.2024

Deepak Mahajan

.....Petitioner

Vs.

Uma Mahajan and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Deepak Mahajan – petitioner in person.

DEEPAK GUPTA, J. (Oral)

In order to assail the orders dated 07.02.2024 and 15.02.2024 passed by the trial Court, petitioner initially filed the petition in the form of Civil Writ Petition No.15149 of 2024. It was observed by co-ordinate Bench of this Court in its order dated 05.07.2024 that the impugned orders, declining to summon the witnesses cited by the petitioner, could be examined only by way of Civil Revision Petition. On the direction of the Court, Registry re-numbered the petition as a Civil Revision Petition.

2. The petitioner, who is appearing in person, has been heard at length. It emerges that he had filed Civil Suit No.449 of 2018 titled “Deepak Mahajan Vs. Uma and another”, which is pending in the Court of learned Civil Judge (Junior Division). In that case, following order was passed by learned Civil Judge on 07.02.2024:-

“Today summoned witness Tarun Kumar and Vijay Kumar present and examined by the plaintiff in his exparte evidence. Perusal of the file it reveals that complainant has also examined the



same witnesses on 15.01.2024. Meaning thereby, the plaintiff Deepak Mahajan is wasting the time of the Court by examining the same witness again and again. Even from the perusal of the evidence it reveals that the plaintiff has not asked any relevant question from the said witnesses. The Hon'ble Punjab and Haryana High Court has already directed to the plaintiff to expeditiously conclude his evidence vide order dated 06.12.2023. Even then the plaintiff despite concluding the evidence is wasting the time of the Court by examining the irrelevant witnesses. Further Deepak Mahajan has also moved an application to summon the witness sh. Sulakhan Singh Advocate but the plaintiff has failed to prove the relevancy for what purpose he wants to examine Sh. Sulakhan Singh, Advocate to prove his case. Further perusal of the judicial file it reveals that there is a order of the Hon'ble Punjab and Haryana High Court dated 28.02.2023 in which cost of Rs.10,000/- was imposed to the present plaintiff deepak Mahajan which is to be paid by him to the High Court Legal Service Committee. The plaintiff Deepak Mahajan has not filed any receipt of depositing the said cost imposed by the Hon'ble Punjab and Haryana High Court. Meaning thereby he has disobeyed the directions of the Hon'ble Punjab and Haryana High Court vide order dated 28.02.2023.

The plaintiff is directed to examine only relevant witness of this case and conclude his evidence expeditiously. Further plaintiff is directed to deposit the cost of Rs.10,000/- imposed by the Hon'ble Punjab and Haryana High Court. Now the case is adjourned to 15.02.2024 for concluding exparte evidence of plaintiff."

3. Thereafter, on the next date of hearing, i.e. 15.02.2024, the trial Court passed the following order:-

"Today plaintiff Deepak Mahajan appeared and recorded his separate statement that he may kindly be granted one opportunity to



conclude his evidence. In view of the statement suffered by him, one opportunity is granted. On request the case is adjourned to 22.02.2024 for concluding exparte evidence of plaintiff. Further plaintiff is directed to deposit the cost of Rs.10,000/- imposed by the Hon’ble Punjab and Haryana High Court.”

4. The order dated 07.02.2024 as reproduced above, clearly indicates that this Court had earlier directed the plaintiff- petitioner to expeditiously conclude his evidence, vide an order dated 06.12.2023. The Court further observed that the petitioner was examining the same witnesses repeatedly and thus wasting time of the Court. It was further observed that vide an order dated 28.02.2023, this Court had earlier imposed cost of ₹10,000/- upon the petitioner- plaintiff, payable by him to the High Court Legal Services Committee.
5. It is conceded by the petitioner before this Court that he has neither paid the cost of ₹10,000/- as imposed by this Court till date nor has challenged that order before any Forum, though petitioner says that he intends to challenge the same. The afore-said circumstances in itself speaks volume about the conduct of the petitioner, whose only intention appears to be to delay the proceedings as he is not even making compliance of the order of this Court.
6. No interference is called for in the impugned orders.
7. Dismissed.

July 10, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No