



CR-6470-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6470-2024

Date of decision : 07.11.2024

Saroj

... Petitioner

Versus

Ram Kumar

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Parminder Singh, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 29.10.2024 (Annexure P-9) vide which the evidence of the petitioner has been closed.
2. Learned counsel for the petitioner has submitted that the petitioner is the divorced wife of the respondent and is the defendant in the suit and is residing in the premises in question along with her two children. It is submitted that as many as 7 witnesses have been examined by the defendant and only one more witness i.e., Rishi Pal, son of Tej Ram, is left to be examined. It is submitted that the petitioner undertakes to produce the said witness before the trial Court on the next date i.e., 08.11.2024 and has further submitted that for the delay in the proceedings, the petitioner is ready to compensate the respondent. It is submitted that the evidence of the

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said witness is very necessary for the proper adjudication of the case.

3. Keeping in view the above said facts and circumstances, this Court is of the opinion that the petitioner deserves to be granted one more opportunity to lead her evidence and accordingly, the impugned order dated 29.10.2024 to the extent that the evidence of the petitioner has been closed by order is set aside and the present petition is partly allowed with the following directions:-

i) The petitioner would present witness Rishi Pal son of Tej Ram before the trial Court on 08.11.2024, which is the next date of hearing stated to be before the trial Court. It is only the said witness, who would appear on 08.11.2024, who would be permitted to be examined by the petitioner. In case the said witness is not presented before the trial Court on 08.11.2024, then no further opportunity would be granted to the petitioner to lead further evidence.

ii) The petitioner would deposit Rs.3000/- on or before on 08.11.2024 and the same would be released by the trial Court to the respondent.

iii) The trial Court would give reasonable opportunity to the respondent to cross-examine the said witness produced by the petitioner.

4. In the present case, no notice is being issued to the respondent as issuance of notice to him would further delay the proceedings and would also entail expenses for the respondent to defend the present revision



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petition. However, it would be open to the respondent to move an application for recalling of the present order in case any of the arguments raised before this Court on behalf of the petitioner is false/incorrect.

(VIKAS BAHL)
JUDGE

November 07, 2024.
Davinder Kumar

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