



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
128

CR-2373-2025

Date of decision: 22.04.2025

Rajinder Kaur and others

...Petitioners

Versus

Manpreet Singh Sidhu

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rajesh Bhatheja, Advocate for the petitioners.

Mr. Hitesh Verma, Advocate for the respondent.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 17.03.2025 (Annexure P-4) passed by the Principal Judge, Family Court, Bathinda, vide which the application filed by the petitioners for recalling the witness for further cross-examination has been dismissed.

2. Learned counsel for the respondent has submitted that the power to recall a witness has been provided under Order 18 Rule 17 CPC and the said power is with the Court and the same does not give any right to a party to seek recalling as a matter of right. It is submitted that once the Court has chosen not to seek recall, more so, in view of the fact that the averments made in the application by the petitioners with respect to the second marriage have not been disputed by the respondent thus, the present revision petition is not maintainable.

3. Learned counsel for the petitioners has submitted that in view of the abovesaid stand and also in view of the fact that second marriage is not disputed, he seeks permission of this Court to withdraw the present revision petition with liberty to the petitioners to take up all the points as are available to them during the course of proceedings, in accordance with law.

4. In view of the above, the present revision petition is dismissed as withdrawn with liberty aforesaid.

5. It is clarified that it would be open to both the parties to raise all the pleas which are available to them in accordance with law.

22.04.2025*Pawan***(VIKAS BAHL)**
JUDGE

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No