

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

COCP-1241-2014

Date of Decision:- 04.07.2014

HARBHAJAN SINGH

....Petitioner(s)

vs.

SUJATHA SINGH & ORS

....Respondent(s)

CORAM:- HON'BLE MR.JUSTICE MAHESH GROVER

Present:- Mr. R.K. Goyal, Advocate for
Mr. A.R. Takkar, Advocate,
for the petitioner.

Mr. S.S.Sandhu, Advocate,
for the respondents.

MAHESH GROVER, J. (Oral)

The petitioner has made a grievance of the non-compliance of the orders passed by this Court. The directions are extracted here-below:-

“the Ministry of Law and Justice is directed to send communication to the Consulate General of India, Indian Embassy at U.S.A. 3, East, 64th Street, New York-NY-10021 (respondent no.3), who will arrange for examination of the petitioner as witness via video conferencing. The time of video conferencing shall be fixed during the working hours in New York so that it is early hours of night in India, in view of orders dated 23.10.2010 and 31.01.2010 passed by the trial Court. However, prior intimation shall be given to the petitioner 15 days in advance so that he may inform the counsel for the parties as well the local commissioner in Ludhiana.

The place and time shall also be informed well in advance. Respondents no.2 to 4 are directed to do the needful within one month from the date of receipt of certified copy of this order.”

Learned counsel for the respondents-Union of India has put in appearance and on instructions has placed on record certain material which indicates that the address given by the petitioner in para 4 of the petition was found incorrect upon a communication addressed to him by the concerned authority.

In this view of the matter, I am of the opinion that the respondents cannot be faulted with. The petitioner who pleads such an arrangement as has been directed by the Court, ought to have been more careful in giving out his address. This has not only resulted in wastage of time of the Court but also indicates that the grievance of the petitioner in this petition is seemingly frivolous. It has also resulted in the wastage of time of the Authorities unnecessarily. However, keeping in view the interest of justice, the petitioner is directed to furnish the correct address of the petitioner to the Consulate General of New York within a period of three weeks. In case he does not do so, the Courts should be free to derive an inference against him.

The petition is disposed of with costs of ₹ 10,000/-, to be deposited in the Mediation and Conciliation Centre of this Court.

July 04, 2014
poonam

(MAHESH GROVER)
JUDGE