

CNR No. HRKH02-001844-2023

CM/110/2023

Indro Devi Vs. District Elementary Education Officer,  
Kaithal etc.

Present: Shri Hardeep Singh, counsel for applicant/defendant  
no. 5  
Smt. Sarita, Clerk on behalf of respondent no. 1.  
Respondent no. 2 in person.

Reply on behalf of respondents filed. Copy given. N  
Ld. counsel for both the parties were asked to opt for  
settlement of dispute outside the court by adopting one of the  
alternate dispute resolving procedure as prescribed under  
section **89 of CPC** but Ld. counsels have stated that they do not  
want to opt for any of these modes of alternative dispute  
resolving procedure and would like to get the dispute  
adjudicated from the court. After hearing the arguments as well  
as going through the pleadings of both the parties, the  
following issues are hereby framed in the present suit:

1. Whether the respondents/defendants have violated the order dated 13.09.2022 and are liable to proceed against under order 39 rule 2-A CPC? OPA
2. Whether the application is not maintainable? OPR
3. Whether the applicant has no locus-standi to file the present application? OPR
4. Whether the applicant has concealed the true and material facts from the Hon'ble Court? OPR
5. Relief.

No other issue is pressed or claimed. Onus not objected to. Now, to come upon **04.03.2024** for evidence of applicant at own responsibility. Ld. counsel for the applicant is directed to file the List of witnesses, PF and DM etc. within seven days, failing which the evidence of applicant shall be brought at own responsibility. However, it is made clear that three opportunities will be given to both the parties to lead their evidence as clear from the amended provisions of CPC. **The parties shall present (in the court) a list of witnesses, whom they want to call either to give evidence or to produce documents and obtain summons of such persons for their attendance in the court.** It is further directed both the parties should supply the copy of affidavits as well as documents etc. (tendered in evidence) to the opposite party (well before seven days) so that the cross-examination may not defer on this ground alone.

Date of Order:20.12.2023  
Vidika, Stenographer Gr.III

(Anudeep Kaur Bhatti),  
CJ(SD)/ACJM, Kaithal  
(UID No.HR-0250)