

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

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**COCP No.1216 of 2015**  
**Date of Decision: 08.12.2015**

\*\*\*\*\*

Madhubala

. . . .Petitioner

Versus

Vijay Dahiya

. . . . Respondents

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**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN**

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Present: Madhubala, petitioner-in-person.

Mr.Pradeep Prakash Chahar, DAG, Haryana.

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**RAKESH KUMAR JAIN, J. (ORAL)**

This petition is filed for non-compliance of the order dated 20.9.2012 passed by the Division Bench in LPA No.1129 of 2012.

Earlier in this case, Mr.Vaibhav Sehgal, Advocate was appearing on behalf of the petitioner but today the petitioner has put in appearance in-person stating that counsel was engaged only for the purpose of drafting the case. The Court has permitted the petitioner-in-person to argue the matter.

It is submitted by the petitioner that the respondents have not complied with the order as they have not held a fact finding enquiry regarding genuineness, validity and *bona fide* of the marriage of Bhim Kumar @ Pappu with the petitioner, namely, Madhubala or with Seema @ Kesho Devi, who had moved an application in the appeal to become a party.

VIVEK PANWA  
2015.12.09 15:49  
I attest to the accuracy and  
authenticity of this document

In response, learned counsel for the State has filed a reply of Ashok Kumar Meena, IAS, Deputy Commissioner, Palwal along with a report of the DRO/City Magistrate, Palwal, according to which Seema @ Kesho Devi was married to Bhim Kumar @ Pappu earlier and thereafter the petitioner-Madhubala got married on 13.2.2009, which is disputed by the petitioner.

In view of the dispute being raised by the petitioner about the genuineness of the marriage of Seema @ Kesho Devi, who has claimed herself to be the first wife of Bhim Kumar @ Pappu, this Court cannot decide the issue as it requires evidence.

Hence, the present petition is disposed of at this stage, relegating the petitioner, if so advised, to file a Civil Suit for declaration by impleading Seema @ Kesho Devi as a party-defendant for the purpose of an adjudication as to who is the legally wedded first wife of Bhim Kumar @ Pappu, as according to the petitioner her marriage was performed in Arya Samaj Mandir, as per Hindu Rites whereas, there is no evidence regarding the marriage of Seema @ Kesho Devi with Bhim Kumar @ Pappu.

**08.12.2015**

*Vivek*

**(RAKESH KUMAR JAIN)  
JUDGE**