

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

CR No.1819 of 2014

Date of Order: 16.09.2015

Dr. Mridu Sandhir

....Petitioner

Versus

Dr. Dharmender Sandhir

....Respondent

CORAM: HON'BLE MR. JUSTICE RITU BAHRI

Present: Mr. Vineet Chaudhary, Advocate for the petitioner.

Mr. Suman Jain, Advocate for the respondent.

RITU BAHRI, J (ORAL)

Petitioner (wife) has come up in revision against the order dated 03.02.2014 (P.5) passed by the learned District Judge, Ambala whereby her defence has been struck off in a petition for dissolution of marriage by decreed of divorce (P.1) filed by the respondent (husband).

Marriage between the parties was solemnized on 10.3.1999 at Ambala and a female child namely Parul was born out of this wedlock on 02.12.1999, who is presently residing with the petitioner-Dr. Mridu Sandhi.

It is stated that the respondent-husband, as a counter-blast to the petition filed by the petitioner-wife under Section 9 of the Hindu Marriage Act, 1955 (hereinafter to be referred as “the Act”) instituted a petition under Section 13 of the Act before the court at Hisar, which was thereafter transferred to the court at Ambala vide order dated 24.01.2013.

Petitioner-wife did not file written statement to the said petition whereupon her defence was struck off. It is further stated that the petitioner-wife also filed an application under Section 125 Cr.P.C for grant of maintenance allowance, which has also been allowed by the learned trial Court. It is apt to state that the respondent-husband also filed a petition (P.4) under Section 25 of the Guardian and Wards Act, 1890 for custody of the minor daughter.

Keeping in view the facts and circumstances of the present case and for just and appropriate decision of the petition filed under Section 13 of the Act, it is expedient to give last opportunity to the petitioner-wife for filing written statement. Upon a specific query being put to the petitioner, who is present in court today, she stated that no settlement is possible at this stage.

In view of the aforesaid, present petition is allowed and the order dated 03.02.2014 (P.5) passed by the learned District Judge, Ambala is set aside and one opportunity is granted to the petitioner to file written statement within 10 days from today subject to payment of Rs.3000/- as costs to be deposited with the State Legal Services Authority, Ambala. Trial Court is further directed to conclude the trial within six months.

September 16, 2015
manoj

(RITU BAHRI)
JUDGE