IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No.5396 of 2015
Date of decision: 24.08.2015

Rajinder Singh Sidhu ... Petitioner

Vs.

Amrit Pal Kaur ... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Pardeep Bajaj, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Challenge in the present petition is to the impugned order dated 26.05.2015, whereby, the petition filed under Section 13-B of the Hindu Marriage Act, has been dismissed as wife after suffering statement in first motion refused to suffer statement in the second motion.

Mr. Pardeep Bajaj, learned counsel appearing on behalf of the petitioner submits that already a compromise has been effected and a part of consideration agreed amount has been received by the wife, thus, such action of the respondent amounts to undue enrichment and act of greed, therefore, the order dismissing the petition is not sustainable in the eyes of law.

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High Court Chandigarh

I have heard learned counsel for the petitioner and appraised the paper book.

It is a matter of record that the petition under Section 13-B of Hindu Marriage Act was filed keeping in view of particular circumstances, i.e, on the basis of the ground available, events of pre and post filing of the petition, there is no provisions of law which can compel the parties not to withdraw a petition or suffer statement under Section 13-B of the Hindu Marriage Act, despite a compromise has been arrived at. The petitioner has an alternative remedy to file a petition, if so advised. There is no illegality and perversity in the impugned order and the same cannot be said to be passed without jurisdiction.

There is no merit in the revision petition.

Accordingly, the revision petition is dismissed.

(AMIT RAWAL)
JUDGE

August 24, 2015
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High Court Chandigarh