

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.3326 of 2014(O&M)

Date of decision: 16.02.2015

Rohin Kumar

.....Petitioner

versus

Smt.Silvia and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr. Amit Aggarwal, Advocate for the petitioner
Mr.K.D.S.Hooda, Advocate for respondent No.1

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Respondents appeared.

Challenged in the present revision is the order dated 15.9.2014, passed by learned Additional Sessions Judge, Panchkula, whereby appeal filed by the revisionists under Section 29 of the Protection of Women from Domestic Violence Act, 2005 against the order dated 19.3.2014 passed by learned Judicial Magistrate 1st Class, Panchkula, was dismissed on the ground of limitation.

I have heard learned counsel for the parties and have carefully gone through the file.

Taking in view the facts and circumstances and the points raised by the petitioners, without going into the controversy regarding the grounds on which the delay was sought to be condoned before

the learned Additional Sessions Judge, I am of the view that the appeal before the learned Additional Sessions Judge should be heard and decided on merits. As such, the impugned order 15.9.2014, passed by learned Additional Sessions Judge, Panchkula is set aside, the delay in filing the appeal before the learned Additional Sessions Judge, Panchkula stands condoned and appeal filed by the revisionists is ordered to be decided on merits.

Parties through their counsel are directed to put in appearance before learned Additional Sessions Judge, Panchkula on 10.3.2015, where wife can also press for recovery of the maintenance.

With aforesaid observations, the revision petition is allowed.

16.02.2015
gk

(Kuldip Singh)
Judge