

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

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FAO No.M-125 of 2009

DATE OF DECISION : January 27, 2015.

Rajesh

....Appellant.

Vs.

Rajni

....Respondent.

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE SNEH PRASHAR**

Present: Mr. Vikram S. Punia, Advocate
for the appellant.

Ajay Kumar Mittal, J. (Oral)

The challenge in this appeal is to judgment and decree dated 21st March, 2009, passed by Additional District Judge, Sonapat, on a petition filed under Section 13 of the Hindu Marriage Act, 1955 (in short “the Act”) by the appellant-husband.

Learned counsel for the appellant submitted that the respondent-wife has remarried and therefore, the claim of permanent alimony under Section 25 of the Act has become infructuous. He prayed that he may be allowed to withdraw the appeal with liberty to the appellant to file an application for custody of the minor girl in the changed circumstances when respondent has remarried.

Dismissed as withdrawn.

However, it shall be open to the appellant to take recourse to the remedies available to him for custody of the minor girl in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(SNEH PRASHAR)
JUDGE

January 27, 2015
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