

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

FAO-M-91 of 2014

Decided on : 13.02.2015

Neetu

..... Appellant

Versus

Jeewan @ Javed Azad Khan

..... Respondent

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

PRESENT: Mr. R.S. Dhull, Advocate
for the appellant.

AJAY KUMAR MITTAL, J. (Oral)

The appeal filed under Section 28 of the Hindu Marriage Act, 1955 (for short 'the Act') arises from a judgment and decree dated 28.01.2014 whereby a petition under Section 12 of the Act for a decree of nullity of marriage was declined.

2. Marriage between the parties was solemnized on 28.12.2011 in Arya Samaj Mandir, Jamuna Bazar, Delhi and the parties had last resided together at Delhi. It was not disputed that the parties had not resided within the jurisdiction of this Court.

3. In such a situation learned counsel for the appellant submitted that he may be allowed to withdraw the present appeal and also the petition filed under Section 12 of the Act with liberty to the appellant/petitioner to present the petition before a Court of competent jurisdiction.

4. In view of the above petition filed under Section 12 of the

Act and the appeal are dismissed as withdrawn with liberty to the appellant to file a petition before the Court of competent jurisdiction.

(AJAY KUMAR MITTAL)
JUDGE

February 13, 2015
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(SNEH PRASHAR)
JUDGE