

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

**FAO No. M-92 of 2014 (O&M)
Decided on : 27.01.2015**

Ranjeet Kaur

... Appellant

Versus

Inderjit Singh

... Respondent

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

PRESENT: Mr. Amit Arora, Advocate
for the appellant.

AJAY KUMAR MITTAL, J. (Oral)

The challenge in the present appeal filed under Section 28 of the Hindu Marriage Act, 1955 (for brevity 'the Act'), is to the judgment and decree dated 31st July, 2013, passed by the trial Court, whereby, after proceeding ex-parte against the appellant, the trial Court had accepted the petition filed by the respondent under Section 11 read with Section 5(ii)(b) of the Act, declaring the marriage between the parties to be void by decree of divorce.

2. Learned counsel for the appellant submitted that in the Transfer Petition No. 241 of 2013, filed before this Court, the further proceedings before the trial Court were stayed by this Court vide order dated 30.04.2013 and in that eventuality, the appellant had erroneously been proceeded ex-parte by the trial Court.

3. Learned counsel for the appellant prays that the appellant be allowed to withdraw the present appeal as well as the CMM application with liberty to file an application for setting aside the ex-parte judgment and decree dated 31st July, 2013, before the trial Court.

3. In view of the prayer made by learned counsel for the appellant, the instant appeal as well as the CMM application are dismissed as withdrawn. However, it shall be open to the appellant to take recourse to the remedies available to her in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(SNEH PRASHAR)
JUDGE

January 27, 2015

J.Ram