

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

**FAO No. M-1 of 2015 (O&M)
Decided on : 21.01.2015**

Sangeeta

... Appellant

Versus

Sachin Walia

... Respondent

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

PRESENT: Mr. S.K. Liberhan, Advocate
for the appellant.

AJAY KUMAR MITTAL, J. (Oral)

CM No. 90-CII of 2015

The appellant is permitted to make good the deficiency in court fee.

CM stands disposed of.

FAO No. M-1 of 2015 (O&M)

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 27th September, 2012, passed by the trial Court.

2. According to the learned counsel for the appellant-wife, the appellant was erroneously proceeded ex-parte by the trial Court vide order dated 23rd February, 2012. It was submitted that since no application for setting aside the ex-parte judgment and decree dated 27th September, 2012 was filed by her before the trial Court, the appellant be allowed to withdraw the present appeal with liberty to file an application for setting aside the ex-parte judgment and decree dated 27th September, 2012, 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prayer made by learned counsel for the appellant, the instant appeal as well as the CMM application are dismissed as withdrawn.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 21, 2015

J.Ram