

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.1220 of 2016

Date of Decision.17.02.2016

Kamal Dev

.....Petitioner

Vs.

Kavita Prasher

.....Respondent

Present: Mr. Rishabh Gupta, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

-. -

K. KANNAN J. (ORAL)

1. The revision petition is against the order allowing an application for setting aside the ex parte decree of divorce. The decree for divorce was made in the year 2012 for the husband and it appears that the husband has also re-married and has child through the second wife after the divorce was granted. The application for setting aside the ex parte decree was filed on plea that she had not been served with notice and she had come to know about the ex parte decree only recently which is before the filing of the petition. The contest was entered by the husband on a plea that the wife was residing at the very same address where the summons was attempted to be served. Even the voter list as well as the address given by the wife in the school where her child is studying, contains the same as the address which the husband had given in the suit.

2. If the wife was not actually served and the service was

effected through publication and the wife says that she had not been residing at that place and the trial Court has also exercised its discretion to allow for full-fledged contest, I will not find it to be illegal for making an intervention in the revision petition.

3. The order is maintained and the revision petition is dismissed.

**(K. KANNAN)
JUDGE**

February 17, 2016
Pankaj*