

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

**Crl. Revn. No. 3591 of 2016
Date of decision:- 30.09.2016**

Manoj Verma	Versus	...Petitioner
Kavita and others		...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Lalit Rishi, Advocate
for the petitioner.

RITU BAHRI J.(Oral)

Challenge in the present petition is to the order dated 03.09.2016 passed by learned Addl. Sessions Judge, Palwal vide which the revision petition was allowed and the case was remanded back to the trial Court with a direction to give two effective opportunities to the respondent-wife for her entire evidence, subject to payment of cost of Rs.4000/-.

Learned counsel for the petitioner argued that before passing the impugned order, the learned Appellate Judge ought to have given an opportunity to the present petitioner to go through the contents of the appeal preferred by respondent-wife.

The argument of the petitioner is liable to be rejected, as the respondent-wife impleaded as many as five respondents including the present petitioner, who was present in person. Notice issued to respondent Nos. 2 to 5 through registered AD were received back the report of refusal. These respondents Nos. 2 to 5 are family member of petitioner. When

respondent No. 1 could not be served through ordinary process, the Court issued publication against him, which was never received back but despite that respondent No.1/petitioner appeared through counsel on 17.08.2016, thus, the Court below has rightly come to conclusion that the petitioner and other respondents were well aware about the proceedings before the Court and they appeared in the Court only when the Court resorted to substituted service of publication in the newspaper.

The order dated 03.09.2016 does not require any interference by this Court at this stage.

The petition stands dismissed.

30.09.2016

G Arora

(**RITU BAHRI**)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>