

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 33 of 2017

- Santosh Panigrahi S/o Shri Prabhul Panigrahi, aged about 35 Years, R/o Prabhunagar, Vamroli Road, In Front Of Devkinandan School, Surat, District- Surat (Gujrat)

---- Petitioner

Versus

- Smt. Sujata Panigrahi W/o Santosh Panigrahi, Aged About 30 Years, R/o Prabhunagar, Vamroli Road, In Front Of Devkinandan School, Surat, District- Surat (Gujrat) At Present Lohiya Nagar, Baloda Bazar, District- Baloda Bazar- Bhatapara, Chhattisgarh

---- Respondent

For Petitioner

Shri Prakash Tiwari, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/01/2017

1. In proceedings under Section 13 of the Hindu Marriage Act, 1955 seeking dissolution of marriage, the petitioner/ husband/non applicant residing at Surat (Gujrat) moved written statement along with an application under Order 6 Rule 14 read with Section 151 CPC for taking written statement on record without his signature. The trial Court has refused the prayer and at the same time, closed the petitioner's right to file written statement.

2. Shri Prakash Tiwari, learned counsel for the petitioner, would submit, on instructions, that the written statement (Annexure-P-3) filed by petitioner's counsel before the trial Court be treated as his written statement and that he shall not resile from any pleading made therein.
3. In the above view of the matter, the writ petition is disposed of with a direction that the written statement preferred by the petitioner along with the application under Order 6 Rule 14 read with Section 151 CPC be treated to be his written statement subject to condition that the petitioner shall verify and put his signature over the contents of the written statement on the next date of hearing before the trial Court. If the petitioner fails to do so, the written statement shall not be taken on record and the impugned order shall stand valid.
4. Certified copy today.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala