

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 98 of 2017

Preeti Patel W/o Omkarnath Patel, Aged About 30 Years R/o Village Bansiya,
Raigarh Tahsil & District Raigarh (Chhattisgarh).

----Petitioner

Versus

Omkarnath Patel S/o Katram Patel, Aged About 38 Years R/o Village Mukta,
Janjgir Champa, Presently Residing At Kelo Vihar Colony, Raigarh, Tahsil &
District Raigarh (Chhattisgarh)

---- Respondents

For Petitioner	: Mr. Tarkeshwar Nande, Advocate
For Respondent	: Mr. H.S.Patel, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/02/2017

Mr. H.S.Patel, learned counsel, accepts notice on behalf of the
Respondent.

With the consent of learned counsel appearing for the parties, the
case is heard finally.

1. The present petition is against the order dated 06.12.2016 wherein the first part of the order the right to file written statement was closed in respect of the petitioner/ respondent wife. The order speaks that the respondent appeared on 30.09.2015 and prayed time to file reply and under Section 24 of the Hindu Marriage Act, the case was adjourned for some reason or other. However, eventually the right to file written statement was closed.
2. Perused the order as also the pleading. Considering the fact that the dispute is in between the husband and wife, the reason

assigned for different adjournment that there are certain chances of compromise the dates were given. Further, in order to advance the cause of justice and in order to defend the case by the petitioner/ respondent/ wife on merits, I am inclined to allow this writ petition and give a chance to respondent/wife to file her written statement.

3. In the result, the writ petition is allowed. The respondent is directed to file her written statement within a further period of 10 days from today, as otherwise her right to file written statement shall stand closed.

4. No order as to cost.

Sd/-
(Goutam Bhaduri)
Judge