

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CIVIL REVISION PETITION No.2985 OF 2016

ORDER:

Heard both sides.

2. Perused the impugned order of the lower court and the grounds urged in the revision.

3. In fact, it is the fundamental principal of law that once there are facts, mere wrong quoting of a provision no way fatal. A perusal of the main petition itself shows seeking of divorce on the grounds of mental cruelty and desertion, specifically from Paras 7 and 8. Even in the prayer portion at Para No.12, it is silent as to on what ground once the facts constitute the facts alleged of cruelty and desertion and even a wrong provision quoted in saying Section 13(ia) & 13(ib) of Hindu Marriage Act, instead of saying Section 13(I)(ia) and 13(I)(ib) of Hindu Marriage Act, the trial court should have been considered the application as filed with correct provision for the mental cruelty and desertion. Undisputedly evidence is completed and the matter is at fag end.

4. Having regard to the above, with this direction, the revision is disposed of, to proceed further with the matter for early disposal, preferably, within three months from the date of receipt of the order.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO, J

21.11.2017
SS

