

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 793 of 2019

- Smt. Pushpa Kashyap D/o Ramadhar Kurmi Aged About 22 Years W/o Shri Onkar Prasad Kashyap, R/o Karra, Police Station And Tahsil Nawagarh, District - Janjgir - Champa Chhattisgarh

---- Petitioner

Versus

- Onkar Prasad Kashyap S/o Sitaram Kashyap Aged About 23 Years Caste Kurmi, R/o Karra, Police Station And Tahsil Nawagarh, District - Janjgir - Champa Chhattisgarh

---- Respondent

For Petitioner : Mr. N.K. Chatterjee, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-10-2019

Heard.

1. This petition has been brought under Article 227 of the Constitution of India.
2. Learned counsel for the petitioner submitted that the opportunity of the petitioner, who is respondent in the Civil Suit No.148-A/2018 pending before the Family Court, has been closed by an order dated 25.09.2019. The petitioner intends to contest the case of divorce filed by the respondent. Therefore, the order passed is arbitrary and no cautionary order of last opportunity was given to her. Therefore, the order passed is arbitrary. Hence, it is prayed that petitioner be granted one more opportunity for filing of written statement.
3. After considering on the submissions so made, without issuance of notice to the respondent, I am of this opinion that this petitioner should

be granted one more opportunity. Therefore, the petition is disposed off and order dated 25.09.2019 is set aside and the learned Family Court is directed to give one more opportunity, specifically mentioned that it is a last opportunity to the petitioner for filing of W.S.

4. Accordingly, the petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Monika