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

**CR No.8090 of 2018
Date of Decision: 10.01.2019**

Smt. Neeraj Rani @ Niharika

Petitioner

Versus

Sachin Goyal

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Nafees Ahmad Khan, Adovcate
for the petitioner.

Mr. Manoj Kaushik, Adovcate
for the respondent.

AVNEESH JHINGAN, J (Oral):

The present civil revision petition has been filed by the petitioner being aggrieved of the order dated 06.03.2018 passed by the learned District Judge, Family Court-I, Faridabad [hereinafter referred to as 'Family Court'] striking off the defence of the petitioner/respondent.

The facts in brief are that marriage of the petitioner and the respondent was solemnized on 25.07.2015 at Faridabad. There arose differences and the relationship landed into troubled waters. A petition was filed under Section 13 of the Hindu Marriage Act, 1955 [for brevity 'the Act'] by the respondent-husband. On notice, the

petitioner-wife failed to file written statement inspite of availing opportunities. Learned Family Court struck off the defence vide order dated 06.03.2018. Aggrieved of the order, the present civil revision petition has been filed.

Learned counsel for the petitioner contends that the petitioner-wife was expecting that the matter would be compromised and she will go back to reside with her husband. For the said reason filing of the written statement was delayed.

Learned counsel for the respondent-husband argues that the petitioner not only failed to file written statement but was proceeded against *ex-parte* on 29.08.2018. He further candidly submitted that *ex-parte* order has been set aside on 31.10.2018.

Keeping in view that the litigation is regarding dissolution of marriage and even the *ex-parte* order has been set aside by the Family Court in October 2018 and as informed by the counsels that the matter has been transferred to Mewat i.e., where the wife is residing, thus, in the interest of justice, order dated 06.03.2018, striking off the defence of the petitioner is set aside and the petitioner is granted four weeks' time from today to file the written statement.

The civil revision petition is allowed.

[AVNEESH JHINGAN]
JUDGE

January 10th, 2019
pankaj baweja

1. Whether speaking/reasoned	:	Yes/ No
2. Whether reportable	:	Yes/ No