

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

**FAO-2068-2018 (O&M)
Decided on : 22.07.2019**

Ritu Mor

... Appellant(s)

Versus

Amit Dalal

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

PRESENT: Mr. Sumit Sangwan, Advocate
for the appellant(s).

Mr. Akashdeep Singh, Advocate
for the respondent(s).

RAJAN GUPTA, J. (Oral)

CM-8066-CII-2018

This is an application under Section 5 of the Limitation Act seeking condonation of 48 days delay in filing the appeal.

In view of the averments made in the application, same is allowed and delay in filing the appeal is condoned.

FAO-2068-2018 (O&M)

Admittedly, proceedings before the Trial Court under Sections 9 and 13 of the Hindu Marriage Act, 1955 (for brevity 'the Act') are still pending. Present appeal has emanated out of the interim order dated 31.01.2018, passed by the District Judge, Addl. Family Court, Hisar. A perusal of the order shows that the Court passed the order on the basis of facts at that stage keeping in view the interests of both the parties. It is observed that this method was adopted by the court below to ensure that the relationship between the appellant – Ritu Mor and her daughters is developed and in future viability of handing over the children to her can be explored, in case, she succeeds to win-over confidence of the children.

In view of the above, present petition is disposed of with the observation that the trial Court shall be at liberty to take a final decision on the said applications at the time of disposal of the petitions under Sections 9 and 13 of the Act.

(RAJAN GUPTA)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

July 22, 2019

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No