

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

CR 949 of 2020

Date of Decision: February 10, 2020

Kuldeep Kaur

... Petitioner

Vs.

Sher Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Abinashi Singh, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (Oral)

Petitioner/respondent has preferred this revision petition against the order dated 04.12.2019 (Annexure P-3) passed by the learned Additional District Judge, S.A.S. Nagar, vide which, defence of petitioner/respondent was struck off.

During the pendency of the petition under Section 13 (1)(i-a) of Hindu Marriage Act, 1955 before the learned Additional District Judge, S.A.S. Nagar, upon notice, counsel for the respondent had appeared before the Court on 17.09.2019 and filed his power of attorney and the case was adjourned to 21.10.2019 for filing written statement. However, on that date, request for adjournment for filing written statement has come

about and the matter was adjourned to 13.11.2019 subject to last opportunity but in spite of the same, on the next date of hearing on 13.11.2019, the respondent failed to file written statement. The Court again afforded the last opportunity enabling the respondent to file written statement on 04.12.2019, on which date, on account of failure of the respondent to file any written statement, the impugned order was passed whereby the Court has struck off the defence of the petitioner/respondent, which is the subject matter of challenge in this revision petition.

Upon hearing counsel for the petitioner and perusing the records, what reflective is that the petitioner/respondent is trying to evade her obligation to file the written statement, which is well demonstrative from the records that she has adopted novice way of legal intimidation by instructing another counsel Mr. Lovedeep Sareen, Advocate to appear on her behalf and file power of attorney and in view of this background, though, no case is made out for this Court to show indulgence, however, in the interest of justice, one final and last opportunity is afforded to the petitioner/respondent to file her written statement within seven days from today subject to payment of Rs.2,000/- as costs, which shall be a pre-condition and shall be paid to petitioner before the trial Court.

Copy of the order be provided to the petitioner free of costs.

Disposed off in those terms.

February 10, 2020

(FATEH DEEP SINGH)

amit rana

JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No