

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

**CR-2597 of 2020 (O&M)
Date of Decision: 07.12.2020.**

Kajal

...Petitioner

V/S

Manraj Rai

....Respondent

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Mr. Ramesh Chand Sharma, Advocate
for the petitioner.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. Limited prayer made in the instant revision petition is for issuance of direction to the Family Court-I, Jalandhar to expedite the disposal of pending petition filed by the petitioner-wife under Section 13 of Hindu Marriage Act (for brevity, HMA).

2. Learned counsel for the petitioner, adverting to the conduct of the respondent-husband, submits that initially petitioner wife filed a divorce petition under Section 13 of HMA, in which respondent husband appeared and filed the written statement. Thereafter, he was proceeded ex-parte and finally ex-parte decree of divorce was passed by the Court on 11.12.2015. Later, husband filed an application for setting aside the ex-parte decree of divorce, wherein a compromise was effected between the parties to the effect that they would file a joint petition under Section 13-B of HMA for mutual divorce. Consequently, the petitioner withdrew her petition filed under Section 13 of HMA. However, the respondent-husband subsequently backed out from the compromise. He declined to file a joint petition, as agreed. Thus compelled,

petitioner wife had to once again file a petition under Section 13 of HMA (the one sub judice now) in July 2018 before the Family Court, Jalandhar.

5. Learned counsel contends that there is no headway in the pending divorce petition. The respondent continues to dilly dally and delaying the proceedings on the one pretext or the other. He seeks passing of appropriate orders for expediting the pending proceedings.

6. Without adverting to the merits of the case, petition is disposed of with an expectation that Family Court, seized of the matter, shall proceed with the case, as expeditiously as possible, in accordance with law. In case matters are being taken up through video conferencing, the benefit of same shall be accorded in the present case also. Hearings/trial in the pending petition under Section 13 of HMA shall accordingly be expedited, but by observing pandemic precautions.

7. Disposed of in above terms.

December 07, 2020
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(ARUN MONGA)
JUDGE

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