

CWP No. 7335 of 2017 (O&M)
Date of Decision:09.11.2021

Devender Singh

....Petitioner

VS

Vinesh Kumari

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.K. Panwar, Advocate
for the petitioner

Mr. R.S. Dhull, Advocate
for the respondent

SUDHIR MITTAL, J. (Oral)

Vide impugned order dated 19.08.2017, the Additional District Judge, Palwal has set aside ex-parte decree of divorce granted to the petitioner-husband. The said order is under challenge in this revision petition.

Learned counsel for the petitioner has argued that an ex-parte decree could not have been set aside without framing issues. This proposition is not denied by counsel for the respondent.

In view of the above, impugned order dated 19.08.2017 is set aside. The matter is remitted to the concerned Court for deciding the application for setting aside ex-parte judgment and decree afresh and in accordance with law.

The petition stands disposed of.

Since the main case stands decided, pending civil miscellaneous applications also stand disposed of.

09.11.2021

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**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No