

**110(1) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(In virtual Court)

CR No.1698 of 2021 (O&M)

Date of Decision: 26.08.2021

Manish Makkar

.....Petitioner

Versus

Nishtha

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Sumesh Gandhi, Advocate and
Mr. Amit Parashar, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This is a revision petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 06.08.2021 passed by the Principal Judge, Family Court, Sirsa, vide which the application filed by the petitioner under Order VIII Rule 9 read with Section 151 CPC stands disposed of.

After arguing for some time, learned counsel for the petitioner has submitted that the basic objection of the petitioner is that though the respondent-wife has been permitted to file replication even at a belated stage, however, the petitioner-husband has not got an opportunity of filing proper rejoinder to the replication. Instead, the application filed by the petitioner has been ordered to be treated as rejoinder to the replication. That application was not filed with a view to controvert the pleadings taken in the replication filed by the respondent. If that replication is to be retained on record, then the petitioner be permitted to file the rejoinder to the replication filed by the respondent. If such an opportunity is granted, then the petitioner intends to withdraw the present petition.

In view of the above, the present revision petition is dismissed as withdrawn.

However, the petitioner would be granted an opportunity by the trial Court to file a proper rejoinder to the replication filed by the respondent-wife. The petitioner may file such rejoinder to the replication filed by the respondent-wife; before the trial Court; within a period of four weeks from today.

The trial Court shall proceed accordingly.

(RAJBIR SEHRAWAT)
JUDGE

26.08.2021
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No