

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

112

**Civil Revision No.3263 of 2021
Date of decision:14.12.2021**

Naresh Kumar

...Petitioner

Versus

Salochna Dhariwal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Sanchit Punia, Advocate
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The petitioner (husband) assails the correctness of an order passed by the Family Court on 06.09.2021, while striking off his defence on the ground that he has failed to file his written statement after availing 4 effective opportunities.

The petitioner is the respondent in a petition filed by his wife and the daughter under Section 18 and 20 of the Hindu Adoption and Maintenance Act, 1956, for the grant of maintenance to them. The petition was filed in March, 2021.

The learned counsel representing the petitioner contends that the written statement has already been prepared and it will be filed before the next date of hearing fixed before the Family Court i.e. 20.12.2021.

Although, the petitioner has failed to furnish justifiable explanation for not filing the written statement, however, keeping in view the nature of the litigation where the court is required to assess the amount of maintenance payable to the petitioner's wife and daughter, it is considered appropriate to permit the petitioner to file his written statement before the

date fixed i.e. 20.12.2021, with an advance copy to the learned counsel representing the respondents herein, subject to the payment of cost of Rs.10,000/- which shall be a condition precedent for filing the written statement in the Court.

Since, the order has been passed without issuing notice, therefore, the respondents shall have liberty to file an application for re-call of the same.

Disposed of accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

December 14, 2021
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No