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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-125-2022

Date of Decision: March 31, 2022

Sandeep

.....Petitioner

Versus

Smt.Sunita

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Shyam Singh Chhokar, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

The petitioner has approached this Court impugning the order dated 27.01.2022 passed by learned Principal Judge, Family Court, Jind.

It has been contended by learned counsel for the petitioner that by virtue of the impugned order, the Court has illegally struck off the defence of the petitioner-husband. He submits that non-filing of the written statement was not on account of the fault of the petitioner but as his counsel was over occupied and unintentionally he could not file the same in a reasonable time and hence the petitioner should not suffer on account of the same.

Without going into the merits of the case and without calling upon the respondent-wife, the Court finds it appropriate that in the interest of justice, the petitioner be allowed one opportunity to file the written statement.

The prayer is allowed subject to payment of Rs.15,000/- as

costs to be paid to the respondent-wife. Impugned order dated 27.01.2022 is set aside. If the petitioner pays Rs.15,000/- as costs to the respondent-wife, the learned Family Court would allow him one opportunity to file his written statement.

Petition stands disposed of accordingly.

March 31, 2022

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No