

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**FAO-783-2022 (O&M)****Date of decision:08.03.2022****Deepmala****....Appellant****V/s.****Parhlad****....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI****HON'BLE MR. JUSTICE ASHOK KUMAR VERMA****Present:** Mr. Ram Pal Verma, Advocate for the appellant.**********Ritu Bahri, J. (Oral)**

The appellant is challenging judgment and decree dated 03.09.2021 whereby the petition filed by the respondent/husband under Section 13(1)(i)(ia) of the Hindu Marriage Act, 1955 for dissolution of marriage by way of decree of divorce has been allowed exparte.

A perusal of the impugned judgment shows that marriage of the parties was solemnized on 29.06.1998 and three children were born out of the wedlock. The divorce petition was filed on 15.04.2021 by the respondent/husband.

Learned counsel for the appellant submits that the appellant/wife alongwith her three children are staying in the same house in which the respondent/husband is staying and she was proceeded exparte on 12.07.2021 and, thereafter, exparte decree of divorce has been granted to the respondent/husband on 03.09.2021.

He seeks to withdraw the instant appeal to take alternate remedy of getting the exparte judgment and decree of divorce dated

03.09.2021 set aside by filing appropriate application before the concerned Family Court.

Keeping in view that no opportunity of leading evidence has been given to the appellant/wife, this appeal is allowed to be withdrawn by learned counsel for the appellant.

Dismissed as withdrawn with liberty aforesaid.

Pending application also stands dismissed.

(RITU BAHRI)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

08.03.2022
Divyanshi

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