

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

CRM-M-22010-2022

Date of decision : 20.05.2022

Paramjit Singh @ Deepak

.....Petitioner

versus

Jeewan Jyot Kaur @ Jiya

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Mohinder Kumar, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing/setting aside the impugned order dated 16.01.2020 passed by learned District Judge (Family Court), Pathankot, Punjab vide which the application dated 03.06.2019 filed by the petitioner for staying the operation of *ex parte* final order dated 20.02.2018 and the execution proceedings under Section 125(3) Cr.P.C. during the pendency of the application dated 03.06.2019 for setting aside the *ex parte* final order dated 20.02.2018 has been declined.

Learned counsel for the petitioner *inter alia* submits that he has impugned order dated 16.01.2020 passed by learned District Judge (Family Court), Pathankot, Punjab by way of this petition. He submits that the petitioner and the wife have taken divorce under Section 13-B of the Hindu Marriage Act and full and final payment has also been paid. He also submits that the permanent alimony and custody *qua* respondent-minor was also settled and accordingly, the respondent-minor is staying with the mother. He submits that after having been taken the divorce, both the petitioner and his wife are remarried. He fairly submits that the

petitioner does not want to press this petition but his grievance is that he has already filed an application for setting aside the impugned *ex parte* order but the same is pending adjudication from the last three years. He has submitted that his limited prayer is that the application filed for setting aside the *ex parte* order be decided expeditiously.

After hearing counsel for the petitioner and perusing the record, this Court finds that the prayer made is genuine one and accordingly, learned Family Court is requested to decide the application filed for setting aside the *ex parte* decree/order dated 20.02.2018 expeditiously preferably within three months from today.

In view of the above, petition is disposed of.

20.05.2022
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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