

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

CR-4066-2019 (O&M)
Date of decision: 02.12.2022

Reenu Rani

...Petitioner

Versus

Ashu Bhardwaj

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. U.K. Agnihotri, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

No one has put in appearance on behalf of respondent despite the case being called several times during the day and name of learned counsel being flashed on the display board.

Briefly stated facts of the case are that one Ashu Bhardwaj had filed a divorce petition against his wife-Reenu Rani which has been pending in the Court of Principal Judge, Family Court, Kurukshetra. Notice of the petition was given to the respondent who put in appearance but she did not file written statement despite being granted several opportunities and imposition of costs of Rs.500/-, as such, the trial Court passed a detailed order on 12.02.2019 narrating the relevant facts and struck off defence of respondent-wife Reenu Rani, leaving her aggrieved and she has approached this Court by way of filing the present revision petition, notice of which was given to the respondent/husband-Ashu Bhardwaj, who had put in appearance through counsel but today there is

no representation on his behalf.

Keeping in view the fact that revision is of the year 2019 and on account of its pendency and passing of interim order, the proceedings in the trial Court have come to standstill, I proceed to decide the revision petition after hearing learned counsel for the revisionist and going through the record.

At the very outset, it may be mentioned that the conduct of revisionist in not filing the written statement despite availing of several opportunities and not paying costs of Rs.500/- and her father behaving in a rude manner is something which was inappropriate and improper to say the least. However, considering the fact that the revisionist is locked in matrimonial litigation with her husband, which is going to have a far reaching effect on her life and in case the doors of contest are shut upon her, that may result in causing injustice to the revisionist. Even otherwise it is desirable that a lis should be decided on merits after hearing both the parties rather than taking a decision in the matter after hearing one party only. Therefore, the revision petition is accepted. The order under question is set aside subject to costs of Rs.10,000/- which is to be deposited with the District Legal Services Authority, Kurukshetra within 15 days. On deposit of costs and submission of receipt in the Court, revisionist-respondent would be allowed to file written statement and then contest the divorce petition.

02.12.2022

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No