

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

112

**CR-6808 of 2019(O&M)  
Date of Order: 25.05.2022**

**Tarlok Singh**

**..Petitioner**

**Versus**

**Simran Kaur and others**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. D.D.Bansal, Advocate, for the petitioner.  
Mr. Kamal Narula, Advocate, for respondent no.1.

**ANIL KSHETARPAL, J(Oral)**

The family Court after coming to the conclusion that there was no evidence of the service of notice on the wife of the divorce petition has set aside the ex-parte decree for dissolution of the marriage by a decree of divorce. It is evident that while filing the petition under Section 13 of the Hindu Marriage Act, 1955, the petitioner did not disclose her house number, address or ward number.

The petitioner claims that there is a presumption of service of notice, sent through the registered post as it was never returned. Such presumption would arise only when the summons sent through the registered post at the address specified. In fact, the address given in the petition was incomplete. Furthermore, the family Court has recorded cogent reasons to set aside the ex-parte decree of divorce.

Hence, no ground to interfere is made out.

Dismissed.

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

**May 25, 2022**

**(ANIL KSHETARPAL)  
JUDGE**

*nt*

**Whether speaking/reasoned**

**: Yes/No**

**Whether reportable**

**: Yes/No**