

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

CR No.5816 of 2022 (O&M)

Date of Decision: 09.12.2022

Daljit Singh Sohi

.....Revisionist-Petitioner.

Versus

Prabhjit Kaur

.....Respondent.

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Vaibhav Narang, Advocate
for the revisionist-petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

By way of the instant revision-petition, the petitioner has laid challenge to the order dated 04.11.2022 (Annexure P-6) handed down by learned Additional Principal Judge, Family Court, Amritsar (for short 'the trial Court'), whereby the application moved by him for seeking correction in the name of the son of the parties as 'Gurnoor Singh Sohi' instead of 'Gurnoor Singh', in the judgment passed by it on 19.05.2015 in the petition preferred by the respondent-wife against him for seeking the dissolution of their marriage by way of the decree of divorce, has been dismissed.

2. I have heard learned counsel for the revisionist-petitioner, at the preliminary stage, in the present petition and have also gone through the file carefully.

3. Learned counsel for the revisionist-petitioner contends that the trial Court has wrongly dismissed the said application (Annexure P-5), vide the impugned order, without even issuing the notice thereof to the

respondent-wife and has observed that the wife had mentioned the name of the child as 'Gurnoor Singh' in her above-said petition and hence, it was so mentioned in the judgment accordingly and therefore, his (child's) name could be got corrected by the wife only and he restricts his prayer to the extent of the issuance of direction to the trial Court to adjudicate the afore-said application afresh after hearing both the parties.

4. Keeping in view the above-discussed limited prayer as made by learned counsel for the petitioner (husband) and without commenting or expressing any opinion on the merits of the matter and also without issuing the notice to the respondent-wife so as to avert the expenses that she (wife) may have to incur to defend in the instant petition, the impugned order dated 04.11.2022 (Annexure P-6) is hereby set-aside and the matter is remanded to the trial Court with the direction to decide the application (Annexure P-5) afresh in accordance with law, after issuing the notice qua the same to the respondent-wife. The revision-petition in hand stands disposed of accordingly.

5. The revisionist-petitioner, through his counsel, is directed to appear before the trial Court concerned on 10.01.2023.

6. However, it is further clarified that in case the respondent-wife feels aggrieved by this order, she shall be at liberty to move an appropriate application to contest the present petition.

December 09, 2022

Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes
No