

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

236

CRM-M-5189-2022

Date of Decision : 19.05.2023

Raghbir Singh

..... Petitioner

Versus

Jagdish Kaur @ Kanwaljit Kaur

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Varun Jain, Advocate
for the petitioner.

Mr. Navjot Singh, Legal Aid Counsel
for the respondent.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition is seeking setting aside of order dated 13.10.2021 (Annexure P-3) whereby Additional Principal Judge, Family Court, Ambala, has declined the request of the petitioner to club two cases which are pending between the same parties i.e. husband and wife.

Learned counsel for the petitioner *inter alia* contends that respondent- Jagdish Kaur @ Kanwaljit Kaur preferred a petition seeking enhancement of maintenance and petitioner preferred a petition seeking cancellation of maintenance which was awarded vide order dated 16.11.2018 passed by this Court. The petitioner preferred an application before the Family Court seeking clubbing of both the petitions, however, learned Additional Principal Judge, Family Court, Ambala vide impugned order dated 13.10.2021 without any plausible reason dismissed the application of the petitioner. Both the petitions were arising from same cause of action and needs to be heard together.

Learned counsel for the respondent does not dispute the afore-stated factual position and prayer of the petitioner, however, submits that trial Court may be directed to expedite disposal of both cases considering the age of the respondent.

In view of statement of both sides and considering facts of the present case, the impugned order dated 13.10.2021 (Annexure P-3) is set aside and Additional Principal Judge, Family Court, Ambala, is requested to take up both the cases together. Considering the age of respondent, the Family Court is further requested to expedite disposal of both the cases and preferably disposed of within 6 months from today.

Disposed of.

(JAGMOHAN BANSAL)
JUDGE

19.05.2023
anju

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>