

CRR(F)-244-2023

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

(114)

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Date of Decision:-16.02.2023.

Mohit

.....Petitioner

Versus

Monika

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. M.S Rana, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

The present petition raises challenge to the order dated 09.01.2023, whereby the defence of the petitioner has been struck off and the right to file affidavit of declaration of assets and liabilities is also closed.

Learned counsel for the petitioner, without adverting to the merits of the case, has fairly conceded that one effective opportunity be granted for completing the pleadings, failing which the petitioner shall suffer irreparable loss and injury and there shall be grave perversity of injustice to enable him his right of defence.

Without commenting on the merits of the case, I am of the opinion that issuance of notice of motion at this stage shall only procrastinate the proceedings in the Family Court, therefore, I deem it appropriate to set aside the order dated 09.01.2023 and grant one effective

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opportunity to the petitioner, who is the respondent in the proceedings below to file the reply for interim maintenance as well as to the main petition and also to file his affidavit of declaration of assets and liabilities. However, the said order is subject to cost of ₹ 10,000/- to be paid to the wife.

Learned counsel for the petitioner has fairly conceded that the case is fixed for 16.03.2023 and the petitioner shall file the pleadings on or before the said date with an advance copy to the counsel opposite and shall not seek any further adjournment for the said purpose.

Accordingly, the present petition is disposed of with the direction to the petitioner to file the reply to the main petition as well as application for interim maintenance and affidavit of declaration of assets and liabilities on or before 16.03.2023, subject to the cost imposed as above.

(ALOK JAIN)
JUDGE

February 16, 2023.

Sandeep

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