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IOIN-CM-9085-CII-1995 IN CM-9085-CII-1995

IOIN-CM-9086-CII-1995 IN CM-9086-CII-1995 IN FAO-56-M-1988

IOIN-CM-9087-CII-1995 IN CM-9087-CII-1995

IOIN-CM-9088-CII-1995 IN CM-9088-CII-1995 IN FAO-55-M-1988

AVTAR KAUR V/S RAGHBIR SINGH

Present: Mr. Ashok Kumar Sharma, Advocate for the appellant

Both appeals i.e. FAO-55-M-1988 and FAO-56-M-1988 were dismissed on 04.10.1993. Said appeals were directed against judgment and decree dated 05.01.1988 passed by the learned Additional District Judge, Ludhiana whereby husband's petition under Section 13 of the Hindu Marriage Act, 1955 (for short – 'the Act') was allowed and wife's petition under Section 9 of the Act was dismissed. Aggrieved therefrom, the wife had filed both the appeals. When the appeals were dismissed on 04.10.1993, none had appeared on behalf of the appellant.

CM-9087-CII-1995 in CM-9088-CII-1995 in FAO-55-M-1988 and CM-9085-CII-1995 in CM-9086-CII-1995 in FAO-56-M-1988 were filed by the wife for recalling of order dated 04.10.1993 alongwith applications seeking condonation of delay in filing the said applications. Files of the present appeals were partially burnt in the fire, which took place on the premises of the High Court. No record regarding disposal or pendency of Civil Miscellaneous applications was found available. Applications were, thus, put up before the Bench.

Learned counsel for the appellant – wife submits that respondent – husband had passed away at an earlier stage and now as per the

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postal receipt on a communication sent by the counsel to the appellant, she is also reported to have passed away. Present applications it is, thus, submitted are rendered infructuous. Photocopy of the postal receipt is taken on record subject to just exceptions.

CMs and IOIN(s) are, accordingly, disposed of.

Photocopy of the order be placed on the file of abovementioned connected case.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

February 01, 2023
rts