

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

**FAO-5523-2022 (O&M)
Date of Decision: 09.02.2023**

PAWAN KUMAR

..... Appellant(s)

Versus

PARVEEN KUMARI

..... Respondent(s)

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. S.S. Momi, Advocate
for the appellant.

LISA GILL, J.

Prayer in this appeal is for setting aside order dated 24.11.2022, passed by learned Family Court, Gurugram. It is further prayed that this Court in exercise of its powers under Article 227 of Constitution of India should pass appropriate orders for a time bound disposal of the petition under Section 12 of the Hindu Marriage Act, 1955 (for short the Act), filed by the present appellant.

Order dated 24.11.2022 is an interlocutory order whereby it is recorded that PW1 Pawan Kumar is not present and the matter stands adjourned to 17.01.2023 at request of learned counsel for the petitioner (present appellant) for his cross-examination as well as remaining evidence of the petitioner therein. It is further observed that arguments on application under Section 24 of the Act would also be heard on the date fixed and the parties were directed to remain present in Court on the date fixed.

Heard.

Learned counsel for the appellant is unable to deny that order

dated 24.11.2022 is an interlocutory order. If at all, the appellant has any

grouse regarding incorrect recording about his absence on 24.11.2022, it is indeed open to the appellant to approach the learned Family Court in this regard. Further prayer addressed for direction to the learned Family Court for deciding the petition expeditiously in a time bound manner in exercise of powers under Article 227 of Constitution of India by this Court, is clearly not made out in the present proceedings. Accordingly, present appeal is dismissed with liberty to the appellant to avail the remedy/remedies as may be/if any, available to him, in accordance with law.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

09.02.2023
Sunil

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No