

FAO-428-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-428-2024 (O&M)

Date of decision: March 22, 2024

Charanjit Kaur

....Appellant

versus

Jaspreet Singh

....Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE HARSH BUNGER**

Present:- Mr. Deepak Gupta, Advocate for appellant.

SUDHIR SINGH, J. (ORAL)

CM-1479-CII-2024

For the reasons stated in application, same is allowed. Delay of 91 days in filing the appeal is condoned.

Main case (O&M)

The appellant-wife has filed the present appeal against the judgment and decree dated 14.07.2023 passed by the learned Family Court, Ferozepur, whereby her marriage with respondent-husband, has been dissolved by way of a decree of divorce.

2. Learned counsel for the appellant contends that in the aforesaid proceedings, the respondent-husband, had been proceeded against as *ex parte*. It is further contended that though the appellant's petition was decreed by the trial Court, yet no permanent alimony was granted. The learned counsel for the appellant, thus, confines the challenge to the impugned judgment and decree to the extent of non-grant of the permanent alimony.

3. As per Section 25 of the Hindu Marriage Act, 1955, even if a final decree of divorce has been passed, still appellant/ wife can make an application

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before the concerned Court with competent jurisdiction for grant of permanent alimony.

4. Considering the same, learned counsel for appellant seeks permission to withdraw the present appeal with a liberty to make an appropriate application before the concerned Family Court with the competent jurisdiction for the redressal of her grievance.
5. Dismissed as withdrawn with liberty aforesaid.
6. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(HARSH BUNGER)
JUDGE

March 22, 2024

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No