

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-1043-2024 (O/M)

Date of decision : 21.03.2024

Harish Batra

..... Appellant

Versus

Ruchi

..... Respondent

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

Present :- Mr. Anuj Garg, Advocate
for appellant.

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SUDHIR SINGH, J. (ORAL)

1. The present appeal has been preferred against the order dated 10.01.2024, passed by the Principal Judge, Family Court, Rohtak, whereby applications dated 15.01.2019 and 29.07.2023, filed by appellant-husband (Annexure P-1 and Annexure P-2 respectively), have been dismissed.

2. In the course of arguments, it has been pointed out that an order was passed under Section 26 of Hindu Marriage Act, 1955 (in short 'HM Act'), vide order dated 07.07.2018. The said order was a consented order. No appeal has been preferred against the said order. Further, appellant wants a certain modification in the said order. The expressed provisions of Section 26 of HM Act itself provides for modification of such orders, depending upon change in circumstances.

3. Learned counsel for appellant is permitted to file an appropriate application before the trial Court in case if he is aggrieved by the order dated 07.07.2018, within a period of one month from the date of passing of this order.

4. With the aforesaid observations and liberty, the instant appeal is dismissed as withdrawn.
5. In case, if any such application is preferred by appellant, same shall be disposed of within the statutory period.
6. All pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(HARSH BUNGER)
JUDGE

21.03.2024
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No