

Date of decision :20.02.2024

...Petitioner

...Respondents

Mr. Sankalp Gehlawat, Advocate
for respondent No.1.

1. The respondent's petition for grant of decree of divorce is pending before the Family Court. The petitioner herein is the respondent's wife. She was proceeded against *ex parte* on 27.07.2022. She filed application for setting aside *ex parte* proceedings on 01.03.2023, which was dismissed on 02.03.2023.

2. The correctness of the aforesaid order has been challenged in this revision petition.

3. On a Court question, the learned counsel representing the parties have failed to draw the attention of the Court with regard to any substantive proceedings, which may have taken place between 22.07.2022 to 01.03.2023. Once a party is proceeded against *ex parte*, he or she has all the rights to join on the future date of hearing. Hence, the petitioner has right to join the proceedings, because no substantive proceedings have taken place, therefore, the Family Court has even failed to understand the consequences of *ex parte*

proceedings.

4. Keeping in view the aforesaid facts, the petitioner is directed to join the proceedings forthwith.

5. The petition stands disposed of.

		(ANIL KSHETARPAL)
20.02.2024		JUDGE
neeraj	Whether speaking/reasoned :	Yes No
	Whether Reportable :	Yes No