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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-1682-2024 (O&M)

Date of decision: April 08, 2024

Rajesh Kumar

....Appellant

versus

Shabnam Saini

....Respondent

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

Present:- Ms. Jasneet Kaur, Advocate for appellant.

SUDHIR SINGH, J. (ORAL)

Appeal herein is against the impugned order dated 11.01.2024 (Annexure A-1) passed by learned Principal Judge, Family Court, Pathankot, whereby, petition filed under Section 13-B of the Hindu Marriage Act, 1955 has been dismissed for want of consent of respondent/ wife.

2. Learned counsel for appellant submits that during second motion, respondent/ wife had withdrawn her consent, and on the basis thereof, learned trial Court could not proceed and the petition under Section 13-B of the Act has been dismissed for want of consent of respondent/ wife. After arguing for sometime, learned counsel for appellant seeks to withdraw the present appeal with liberty to make a separate application for divorce before the trial Court with the competent jurisdiction, if so advised, in accordance with law.

3. Dismissed as withdrawn with liberty aforesaid.

4. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(HARSH BUNGER)
JUDGE

April 08, 2024

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No