



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

117

CRR(F)-897-2024(O&M)
Date of decision: 16.07.2024

DEEPAK

...Petitioner

Versus

MUKESH KUMARI

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Kamal Kumar Mor, Advocate
for the petitioner.

HARPREET KAUR JEEWAN , J.

1. Prayer in the present revision petition is for setting aside the order dated 08.04.2024 passed by the Family Court, Bhiwani camp at Loharu, whereby the defence of the petitioner has been struck off during the proceedings in an application filed by the respondent under Section 125 Cr.P.C. seeking grant of maintenance.
2. Heard.
3. As per the impugned order dated 08.04.2024, the appearance was put in by the petitioner on 24.01.2024 and till 08.04.2024, he did not file reply to the application filed by the respondent seeking interim maintenance, as such defence was struck off.
4. In case notice is issued to the respondent then this would further

cause delay in the proceedings in the application filed by the respondent for grant of maintenance under Section 125 Cr.P.C. Hence, issuance of notice to the respondent is dispensed with.

5. Keeping in view the facts and circumstances of this case, the present petition is allowed. The impugned order dated 08.04.2024 is set aside. The petitioner is granted one opportunity to file reply to the application for grant of interim maintenance as well as reply to the main petition within a period of one month from today subject to deposit of costs of Rs.30,000/- as litigation expenses, which would be paid to the respondent-wife before the Family Court.
6. However, respondent shall have a right seeking recalling of this order in case any of the false averments have been made in the present petition.
7. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

16.07.2024
P.Bhatt

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