



135

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

CR-698-2025

Date of decision: 03.02.2025

Jaswinder Kaur

...Petitioner

Versus

Jaspreet Singh

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Shubham Mehta, Advocate for the petitioner.

\*\*\*\*

**VIKAS BAHL, J. (ORAL)**

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 04.03.2024 (Annexure P-1) passed by the Additional Principal Judge, Family Court, Bathinda, whereby the defence of the petitioner has been struck off.

2. Learned counsel for the petitioner has submitted that the petitioner is a lady and the respondent-husband has filed a petition under Section 13 of the Hindu Marriage Act, 1955 for dissolution of marriage by decree of divorce and wishes to contest the said case and has submitted that although, there is some slackness on her part also but in case an opportunity is not granted to the petitioner to file her written statement then irreparable loss would be caused to her. It is also submitted that till date, the evidence of the respondent-husband has not started and the case is now listed before the trial Court on 20.03.2025 for the evidence of the respondent-husband. It is submitted that for the delay and inconvenience caused in the proceedings, the petitioner is ready to pay reasonable costs.



3. Keeping in view the abovesaid facts and circumstances, this Court is of the view that one last opportunity on payment of adequate costs be granted to the petitioner to file her written statement. Accordingly, the present revision petition is partly allowed and the impugned order dated 04.03.2024 (Annexure P-1) to the extent that the defence of the petitioner has been struck off, is set aside and even the order dated 14.01.2025 (Annexure P-4), whereby an application for setting aside the abovesaid order dated 04.03.2024 was dismissed, is also set aside and the petitioner is granted one last opportunity to file her written statement within a period of three weeks from today by moving an application before the trial Court with a copy to the counsel appearing on behalf of respondent before the trial Court. The same would be subject to the petitioner depositing an amount of Rs.20,000/- within a period of three weeks from today. On deposit of the said amount, the same would be released by the trial Court to the respondent.

4. It is made clear that in case the said amount is not deposited or the written statement is not filed within the aforesaid period, then the present revision petition would be deemed to have been dismissed.

5. In the present case, no notice is being issued to the respondent as issuance of notice to the respondent would further delay the proceedings and would also entail expenses for respondent to defend the present revision petition. However, it would be open to the respondent to move an application for recalling of the present order in case any of the statement made before this Court is found to be false/incorrect.

**03.02.2025**

*Pawan*

**(VIKAS BAHL)**  
**JUDGE**

**Whether speaking/reasoned:- Yes/No**  
**Whether reportable:- Yes/No**