



CR-4788-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(126)

CR-4788-2024

Date of decision: - 13.01.2025

Gazal Ahuja

....Petitioner

Versus

Rohit Ahuja

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Karan S. Gill, Advocate,
for the petitioner.Mr. Sourabh Bindra, Advocate,
for the respondent.

VIKAS BAHL, J. (ORAL)

1. Present civil revision has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 14.05.2024 passed by the Principal Judge, Family Court, SAS Nagar, Punjab, whereby the interim application filed by the respondent seeking custody of a minor child, was partially allowed.

2. Learned counsel for the petitioner has submitted that in view of the judgment passed by the Full Bench of Delhi High Court dated 16.10.2024 in *MAT.APP.(F.C.) No.126 of 2019 titled as Dr.Geetanjali Aggarwal Vs. Dr. Manoj Aggarwal*”, since the impugned order has been passed by the Family Court, the same is appealable under Section 19 of

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the Family Courts Act, 1984, thus, he be permitted to withdraw the present revision petition with liberty to the petitioner to file an appeal under Section 19 of the Family Courts Act, 1984.

3. Learned counsel for the respondent has submitted that in case any such appeal is filed, then, the respondent be also given liberty to raise all pleas which are available to him to oppose the said appeal.

4. Keeping in view the abovesaid facts and circumstances, the petitioner is permitted to withdraw the present revision petition with liberty to file an appeal, in accordance with law.

5. It is made clear that this Court has not opined on the merits of the case and it would be open to both the parties to raise all pleas which are available to them in the said proceedings.

January 13, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No