2025:UHC:9730-DB

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI G. NARENDAR
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY
04TH NOVEMBER, 2025

HABC No. 32 OF 2025

Dr. Rahul Kumar Singh Chauhan .....Petitioner

Versus

State of Uttarakhand and others. ...Respondents

Counsel for the petitioner.	:	Mr. Arjun Sanjay, learned counsel holding brief of Mr. Chirag Goswami, learned counsel.
Counsel for the respondents	:	Mr. J.S. Virk, learned Deputy Advocate General with Mr. R.K. Joshi, learned Brief Holder for the State.

JUDGMENT : (per Sri G. Narendar, C.J.)

Heard learned counsel for the petitioner and the learned Deputy Advocate General for the State.

2. The case of the petitioner is that his wife had left him three years ago. The pleadings would reveal that the petitioner had preferred a petition under Section 9 of the Hindu Marriage Act, 1955, and the same came to be dismissed for default.

3. The statement that the wife left the petitioner three years ago would clearly demonstrate that the petitioner has not been diligent and it also casts a cloud over the statement of the petitioner that the wife is being held by her parents against her wishes.

4. The petitioner is not able to place any material gathered by him in these three years, which would show that his wife has been held by her parents against her wish.

5. In that view, the petition stands rejected with liberty to the petitioner to approach the appropriate forum.

6. Pending application, if any, also stands dismissed.

G. NARENDAR, C.J.

SUBHASH UPADHYAY, J.

Dt: 04th November, 2025
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PRAVINDR A SINGH RATHOUR