2026:HHC:47879

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

FAO(FC) No.48 of 2024
Date of decision: 31.10.2026

Sh.Sanjeev Kumar **…..Appellant**

Versus

Smt. Vanita Devi **…..Respondent**

Coram

The Hon'ble Mr. Justice Ajay Mohan Goel, Judge.
The Hon'ble Mr. Justice Yogesh Jaswal, Judge.

Whether approved for reporting?[1]

For the Appellant **:** Mr. Naveen K. Bhardwaj, Advocate.

For the Respondent **:** Mr. Surinder Kumar Sharma, Senior Advocate with Mr. Neeraj Sharma, Advocate.

Ajay Mohan Goel, Judge (Oral)

By way of this appeal, the judgment passed by the learned Additional Principal Judge (Additional District Judge) Family Court, Chamba, District Chamba, H.P. dated 06.09.2024 in Case No.57/2020 titled Sh.Sanjeev Kumar versus Smt. Vanita Devi stands dismissed in terms whereof, petition filed by the present petitioner under Section 13 of the Hindu Marriage Act for dissolution of marriage by a decree of divorce has been dismissed.

2. A perusal of the memo of parties of the petition filed under Section 13 of Hindu Marriage Act demonstrates that the same was filed by Sanjeev Kumar s/o Sh. Kehar Singh, R/o Village Talori, Post Office Sundla, Gram Panchyat Sundla, Tehsil Salooni, District Chamba, H.P. Present appeal has been filed by Sh. Sanjeev Kumar

[1]***Whether the reporters of the local papers may be allowed to see the Judgment?Yes***

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through his father Sh. Kehar Singh s/o Sh. Raghu Ram. The grounds of appeal are supported by an affidavit of the father in which, it is averred that the appeal has been drafted at the instance of the deponent namely, Sh.Kehar Singh under the instructions of his son who is working in SSB and is unable to do the needful due to nature of his services. It is further averred in the affidavit that the contents of paras 1 to 9 of the appeal are correct to the best of personal knowledge and belief of the deponent i.e. Sh.Kehar Singh. There is neither any Special Power of Attorney or General Power of Attorney issued by Sh.Sanjeev Kumar authorizing his father to file and maintain the present appeal on his behalf against the judgment passed by the learned Court below.

3. In these circumstances, we are of the considered view that the present appeal is not maintainable. The same is dismissed with cost/litigation expenses assessed @₹20,000/- to be paid by the appellant to the respondent. Pending miscellaneous application(s), if any, also stand disposed of accordingly. Prayer of the learned counsel for the petitioner that he be allowed to withdraw the petition is rejected.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

31st October, 2026.
(**yogesh**)