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

**CR-3919-2025 (O&M)
Date of decision : 15.07.2025**

Seema Kumari

...Petitioner

Versus

Prashant Kumar

...Respondent

**CORAM: HON'BLE MS. JUSTICE HARPREET KAUR
JEEWAN**

Present: Mr. B.S. Tewatia, Advocate,
for the petitioner.

HARPREET KAUR JEEWAN, J. (Oral)

1. The present civil revision under Article 227 of the Constitution of India has been filed impugning the order dated 05.05.2025 (Annexure P-5), whereby, the Principal Judge, Family Court, Faridabad has allowed the application filed on behalf of the respondent-Husband under Order 6 Rule 17 read with Section 151 of the Code of Civil Procedure, 1908 (for short, '*the CPC*'), seeking amendment of the petition.

2. Learned counsel for the petitioner contends that the petitioner-wife had filed an application under Order VII Rule 11 of the CPC for dismissal of the petition, which was filed by the respondent-husband seeking divorce under Section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955, whereby, grounds of cruelty and desertion were taken. As a counterblast, the respondent-husband filed an application



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under Order VI Rule 17 read with Section 151 of the CPC for amendment of the petition.

2.1. It is further contended that by way of the amendment which has been allowed by the Family Court, the respondent-husband has been permitted to add paragraph 45 in the petition, which has changed the whole nature of litigation.

2.2. Learned counsel further contended that the petitioner-wife was residing in the matrimonial home on 03.12.2022, the date on which the respondent-husband filed the divorce petition and even thereafter; however, a wrong ground of desertion had been taken in the original petition. As such, the amendment which has been allowed by the Family Court would nullify the wrong pleadings made in the original petition.

3. I have perused the impugned order and considered the aforesaid contentions as well as other documents appended with the paper-book.

4. The original petition seeking divorce, which was filed by the respondent-husband, contained 44 paragraphs (Annexure P-1), giving details of the grounds/circumstances of cruelty and desertion. However, by way of allowing the amendment, the respondent-husband was only permitted to add the following paragraph:-

“45. That the cause of action arose in the favour of the petitioner, firstly, after few months of marriage when the respondent started rebuking the petitioner and his parents, indulging in baseless verbal and physical fights. Secondly, when the respondent asked the petitioner/applicant to live separately from his parents. Thirdly, when the respondent assassinated the character of the petitioner/applicant and publicly insulted him. Fourthly, when the respondent physically tortured the petitioner/applicant's mother and

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hit her with a spatula. Fifthly, on 18.09.2022 when the respondent sent a threatening message to the petitioner/applicant. Sixthly, on 19.09.2022 when the respondent locked herself in the bathroom and started abusing and threatening the petitioner/applicant and his parents to implicate them in false criminal cases. Seventhly, when the respondent made false allegations and passed derogatory remarks towards the petitioner/applicant and his parents to the neighbours defaming the reputation of the petitioner/applicant. Eighthly, when a complaint was filed by the petitioner/applicant's mother on 27.09.2022 to the police. Ninthly, on 05.10.2022 when the respondent's brother came to the petitioner/applicant's house and threatened him and his brother to put them in jail. Tenthly, the cause of action accrued when the petitioner/applicant came to know about the false bio-data provided by the respondent before the marriage. Lastly, the cause of action accrued on every date when the respondent had exercised cruelty upon the petitioner/applicant both mentally and physically several times. The cause of action is still persisting as the continuous acts of cruelty are continuing till date.”

4.1 The said addition only clarifies as to from which point of time the cause of action arose to the plaintiff. By way of the aforesaid amendment, no new facts have been added; rather it is only to meet out the technicalities, i.e. pointing out the period of arising cause of action to the petitioner.

5. Therefore, there is no illegality or irregularity in the impugned order, as such, no ground for interference is made out.

6. Consequently, present petition is hereby dismissed.

7. Pending miscellaneous applications, if any, shall stand disposed of.

15.07.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No