

2025:PHHC:128009-DB



138 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-18611-CII-2025 in/and
FAO-5124-2023 (O&M)
Date of Decision: 16.09.2025

RAJ KUMAR

.....Appellant

Versus

RITU

.....Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. S.S. Brar, Advocate for the applicant-appellant.

ANUPINDER SINGH GREWAL, J. (Oral)

CM-18611-CII-2025

This is an application for fixing an actual date of hearing in the main case.

Notice in the application.

Mr. Ramandeep Singh, Advocate, accepts notice on behalf of the non-applicant/respondent and submits that he has no objection, if the instant application is allowed.

For the reasons mentioned in the application and in view of no objection raised by learned counsel for the respondent, the application is allowed and with the consent of parties, the main appeal is taken up today itself for final disposal.

Main Appeal

The appellant has challenged the impugned order dated 20.07.2023 passed by the Additional Principal Judge, Family Court, Ludhiana, whereby the petition filed by the appellant under Section 13 of the Hindu Marriage Act, 1955 (hereinafter referred to as the Act of 1955) for dissolution of his marriage had been dismissed for want of payment of the pendente lite maintenance under Section 24 of the Act of 1955.



2. On 11.08.2025, the Co-ordinate Bench of this Court had passed the following order:

“Learned counsel representing the respondent has submitted that while the amount of Rs.1,60,000/- as is referred to in order dated 30.05.2024 already stands paid to the respondent(wife), but as on date another amount of Rs.1,40,000/- approximately is outstanding. He has submitted that in case the aforesaid amount is paid to the respondent, she will not have any objection for setting aside the impugned order and for remand of the matter to the Family Court so that the same may be decided on merits.

Learned counsel for the appellant requests for an adjournment to seek instructions as regards payment of the balance amount of Rs. 1,40,000/-.

List again on 25.08.2025.

To be shown in the urgent.”

3. Learned counsel for the appellant submits that pursuant to aforesaid order dated 11.08.2025, he has handed over the demand draft of Rs.1,40,000/- to learned counsel for the respondent in the Court.

4. Learned counsel for the respondent submits that the respondent has no objection, if this appeal is allowed, the impugned order is set aside and the matter is remanded back to the concerned Family Court for decision on merits.

5. In view of the above, the instant appeal is allowed and impugned order dated 20.07.2023 passed by the Family Court, Ludhiana is set aside. The Family Court, Ludhiana would proceed to decide the petition filed by the appellant under Section 13 of the Act of 1955 on merits, in accordance with law. The parties shall appear before the concerned Family Court on 17.10.2025.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

16.09.2025

sandeep

Whether Speaking/Reasoned : Yes/No