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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****CRR(F)-1252-2025**

Date of decision: 29.08.2025

MANDEEP

...Petitioner

Versus

RACHNA AND OTHERS

...Respondents

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Aditya Yadav, Advocate,  
Mr. Atul Bhardhwaj, Advocate and  
Mr. Viransh Kumar, Advocate  
for the petitioner.

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**KIRTI SINGH, J. (ORAL)**

1. The present revision petition has been preferred against the order dated 03.06.2025 passed by learned Addl. Principal Judge, Family Court, Bhiwani, whereby the opportunity of the present petitioner to file written statement and reply to the application filed by respondent No.1 under Section 125 of Cr.P.C., seeking interim maintenance, has been closed.

2. The brief facts of the case are that the marriage between the petitioner and respondent No.1 was solemnized on 20.11.2013, as per Hindu religious rites and ceremonies and two daughters born from the said wedlock. A matrimonial dispute ensued between the couple and the respondents filed a petition under Section 125 Cr.P.C. for seeking maintenance.



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3. Vide order dated 23.01.2024 notice was issued to the present petitioner and case was fixed 14.03.2024, on which date fresh summons were ordered to be issued. On 03.09.2024, the petitioner was granted permission to engage a counsel, and the case was adjourned for filing of the reply to the main petition and the application; the same not having been done on 21.12.2024, learned counsel for the petitioner sought more time to do the needful, and thus the case was adjourned to 16.04.2025. Thereafter, vide order dated 07.04.2025 all the cases listed between 15.04.2025 to 22.04.2025 were ordered to be adjourned to 03.06.2025, on which date the learned Family Court then passed the impugned order, dated 03.06.2025, closing the opportunity of the petitioner to file a written statement and reply in the petition and the subsequent application for interim maintenance by observing that more than 90 days' period had expired since the day the present petitioner had put in appearance in the case. Hence, the present revision petition.

4. Learned counsel for the petitioner contends that the learned Family Court, has erred in passing the impugned order, as the petitioner was in the process of making settlement with respondent No.1 and because of this reason, the petitioner could not file reply. It is submitted that irreparable loss would be caused to the petitioner in case he is not granted one opportunity to do the needful and contest the case. Even otherwise, by permitting the same, no prejudice would be caused to the respondents.

5. It is not disputed that sufficient time was afforded by the learned Family Court, to the present petitioner to file reply in the petition filed under Section 125 Cr.P.C. It was thereafter that the learned Court was

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constrained to pass the impugned order. However, principles of natural justice warrant that a fair hearing must be given to every party for the better adjudication of the case. Be that as it may, and in the interest of justice, the impugned order dated 03.06.2025 is hereby set aside, and one effective opportunity is granted to the petitioner to file reply within 10 days from today, albeit subject to payment of cost of Rs.10,000/- to respondent No.1-wife.

6. Pending miscellaneous application(s), if any, also stand(s) disposed of.

**August 29, 2025**

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**(KIRTI SINGH)  
JUDGE**

Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No