



CR-851-2024 (O & M)

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

279+121

CR-851-2024 (O & M)
Date of decision:24.03.2025

VIKAS KOCHAR

...PETITIONER

VS.

ROZY

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Dr. Naresh Kaushik, Advocate
for the petitioner.

Mr. Vaibhav Narang, Advocate
for the respondent.

SUVIR SEHGAL, J. (ORAL)

1. Instant revision petition has been filed under Article 227 of the Constitution of India for setting aside order dated 08.11.2023, Annexure P-1, passed by the Family Court, Amritsar, whereby an application filed by the petitioner-husband under Order 3, Rule 1 & 2 CPC for appearing and deposing through a Special Power of Attorney (SPA) in a divorce petition, has been rejected.

2. By making a reference to affidavit, Annexure A-1, and the cross-examination, Annexure A-2, counsel for the respondent-wife states that although the application was rejected by the Family Court, but SPA has filed an affidavit and has been cross-examined. It is his submission that the instant revision petition has become infructuous.



3. At this stage, counsel for the petitioner states that as the Family Court had rejected the request, testimony of the SPA may not be read in evidence.

4. To allay the apprehension of the petitioner, it is clarified that the evidence of SPA shall be taken in account and considered while adjudicating the divorce petition.

5. Instant revision petition is disposed off.

6. Pending application(s) is/are disposed off.

24.03.2025
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No