



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CR-498-2025

Date of Decision: 27.01.2025

Mohit Bansal

.... Petitioner

Versus

Tanvi Singla

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. LK Yadav, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Challenge in the present revision petition is to the order dated 13.12.2024 (Annexure P-5), passed by the learned Principal Judge, Family Court, Rohtak, whereby evidence of the petitioner has been closed by Court order in a petition filed under Section 9 of the Hindu Marriage Act, 1955 (for short-‘the HMA’) for restitution of conjugal rights (Annexure P-1), on the ground that although numerous opportunities including several last opportunities have been granted to the petitioner to conclude his evidence, yet he has failed to do so.

Learned counsel for the petitioner, *inter alia*, submits that marriage of the petitioner with respondent was solemnized on 14.11.2017. No child was born out of the said wedlock. The petitioner is suffering from an eye ailment which is termed to be *Retinitis Pigmentosa* and as such, the respondent-wife had sought annulment of marriage between the



parties and filed a petition under Section 12(i)(C) of the HMA in the year 2020, on the ground of deception and fraud, in alternate a petition for dissolution of marriage by way of decree of divorce under Section 13 of the HMA. It is submitted that the respondent-wife was appointed as PGT Teacher in Haryana Government in the year 2019 which led to filing of the aforesaid petition for annulment of marriage. However, the petitioner had filed the present petition (Annexure P-1) under Section 9 of the HMA on 12.11.2020. Earlier, the present petition was transferred from the Court of learned Additional Civil Judge (Senior Division), Dera Bassi to the Court of competent jurisdiction at Rohtak, vide order dated 02.05.2022 (Annexure P-2) passed by a co-ordinate Bench of this Court passed in TA-175-2021, titled as 'Tanvi Singla Vs. Mohit Bansal'. It is prayed that the impugned order dated 13.12.2024 (Annexure P-5) may be set aside and the petitioner may be granted only one opportunity to conclude his entire evidence, subject to payment of reasonable costs.

Heard.

Having given thoughtful consideration to the submissions of learned counsel for the petitioner and without commenting upon merits of the case, but in view of principles of natural justice, equity, good conscience and fair play; this petition is being **disposed of** without issuing Notice of Motion to the respondent as that will only further delay be matter; the impugned order dated 13.12.2024 (Annexure P-5) is set aside. It is directed that the petitioner be granted one effective opportunity to conclude his entire evidence before the learned Family Court, Rohtak, at



his own responsibility, subject to costs of ₹10,000/- to be deposited with the District Legal Services Authority, Rohtak.

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

27.01.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No