



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

125

CR-6050-2025

Date of Decision: 03.09.2025

Nitin Sharma

....Petitioner

VERSUS

Vani Panesar

...Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Raghav Soni, Advocate, for the petitioner.

AMARINDER SINGH GREWAL, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India with a prayer for setting aside the impugned order dated 13.02.2025 (Annexure P-1) passed by learned Additional Principal Judge, Family Court, Amritsar, in a divorce petition bearing No.HMA/734/2024 dated 19.04.2024 titled as “**Vani Panesar Vs. Nitin Sharma**” vide which learned Court has struck off the defence of the petitioner by order.

2. Learned counsel for the petitioner submits that the respondent has filed a petition under Section 13 of the Hindu Marriage Act, 1955 seeking dissolution of marriage by way of a decree of divorce against the petitioner. Upon filing of the divorce petition, notice was issued to the petitioner, whereafter he appeared through counsel and sought time to file the written statement. The matter was thereafter adjourned from time to time for filing of the written statement on behalf of the petitioner. It is further



submitted that the petitioner was under the *bona fide* impression that the matter would be amicably resolved, as talks of compromise were going on between the parties, and therefore, he did not file the written statement. On 13.02.2025, when the written statement was again not filed, the learned trial Court struck off the defence of the petitioner. Learned counsel for the petitioner prays for grant of one effective opportunity to file the written statement before the learned trial Court.

3. In view of the order proposed to be passed, notice is not being issued to respondent as it would delay the proceedings besides entailing additional expenses to the respondent.

4. I have heard learned counsel for the petitioner and have gone through the material placed on record.

5. Keeping in view the aforesaid facts and circumstances, the impugned order dated 13.02.2025 (Annexure P-1) is set aside and petitioner is directed to appear before learned Additional Principal Judge, Family Court, Amritsar, on the date fixed and learned Additional Principal Judge, Family Court, Amritsar, is directed to give one effective opportunity to the petitioner to file written statement subject to payment of costs of Rs.5,000/- to be paid to the respondent.

6. The present petition is disposed of accordingly.

(AMARINDER SINGH GREWAL)
JUDGE

03.09.2025

anil

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No