



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

289

**CR No.6755 of 2024 (O&M)  
Date of Decision :29.07.2025**

**Navneet Kaur**

**.....Petitioner**

**Versus**

**Santi Pal**

**..... Respondent**

**CORAM: HON'BLE MR.JUSTICE VIKRAM AGGARWAL**

Present : Mr. Sunny Sachdeva, Advocate for the petitioner.

None for the respondent despite service.

**VIKRAM AGGARWAL, J. (Oral):**

The instant revision petition, preferred under Article 227 of the Constitution of India, assails the order dated 23.08.2024, passed by the Court of Additional Principal Judge, Family Court, Camp Court, Indri, District Karnal, vide which the petition preferred by the respondent-husband under Section 9 of the Hindu Marriage Act, 1955 (hereinafter referred to as 'HMA') was permitted to be withdrawn.

2. A petition under Section 9 of the HMA was preferred by the respondent-husband. During the pendency of the same, a settlement is stated to have been arrived at in the mediation proceedings on 30.05.2024 (Annexure P-2).

3. Subsequently, when the matter was fixed before the Family Court on 23.08.2024, the respondent-husband withdrew the petition. The present petitioner had also moved an application (Annexure P-4) under Order XI Rule 14 Code of Civil Procedure, 1908 (hereinafter referred to as 'CPC') for setting



aside the compromise arrived at between the parties in the Mediation Centre. By way of the impugned order, the respondent-husband was permitted to withdraw his petition preferred under Section 9 of the HMA, but no order was passed on the application moved by the present petitioner under Order XI Rule 14 CPC. In the application, it was specifically stated that during the course of mediation, settlement was obtained fraudulently. However, as noticed, no order was passed on the said application.

4. I have heard learned counsel for the petitioner.

5. Learned counsel for the petitioner submits that the Family Court, Indri erred in permitting the petitioner to withdraw the petition, preferred under Section 9 of HMA without passing any order on the application moved by the petitioner under Order XI Rule 14 CPC.

6. No one has put in appearance on behalf of the respondent-husband despite service.

7. On 23.08.2024, the Family Court, Indri, had passed the following order:-

**“Today the case was fixed for compromise. However, the petitioner express his desire to withdraw the present case. Moreover, the respondent has placed on record an application under Order XI Rule 14 for the production of the copy of the petition for setting aside the mediation for providing the legal expenses alongwith diet money. Copy supplied.**

**At this stage, Petitioner Shanti Pal present in the Court and duly identified by his counsel has suffered his statement that since the matter has been patched up between the parties on 30.05.2024 at Mediation Centre and on the basis of the said compromise, he does not want to proceed with the present petition and withdraws the same and that the petition may be consigned to record room. Heard. Keeping in view the statement made by petitioner, the present petition is hereby dismissed as withdrawn. File be consigned to record room**



**after due compliance.”**

8. A perusal of the aforesaid order shows that it duly takes note of the application under Order XI Rule 14 having been moved by the present petitioner-wife. However, no order was passed on the same.

9. That being so, the impugned order is set aside and the matter is remitted to the Family Court, Indri, for deciding the request of the respondent-husband for withdrawal of the petition filed under Section 9 of HMA afresh after dealing with the application under Order XI Rule 14 moved by the petitioner-wife. For the said purpose, parties may appear before the Family Court on 11.08.2025.

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

**(VIKRAM AGGARWAL)**  
**JUDGE**

**29.07.2025**

*Manoj Bhutani*

Whether speaking/reasoned Yes/No  
Whether reportable Yes/No