



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

116

CR-5801-2025

Date of Decision: 27.08.2025

Neeraj Goyal

....Petitioner

VERSUS

Lt. Dr. Manisha Aggarwal

...Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Nissim Aggarwal, Advocate,
(through V.C.), with
Mr. Sanjiv Kumar Aggarwal, Advocate &
Mr. Ojas Bansal, Advocate,
Mr. Tejas Bansal, 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 issuance of directions to the learned Principal Judge, Family Court, Palwal, to decide the application (Annexure P-13) filed under Order VIII Rules 1 and 10 CPC, for striking off the defence of the respondent in divorce petition bearing No.HMA-252-2023 titled as *Neeraj Goyal Vs. Lt. Dr. Manisha Aggarwal*.

2. Learned counsel for the petitioner submits that the petitioner instituted a divorce petition bearing No. HMA-252-2023 under Section 13(1)(i), (ia) and (ib) of the Hindu Marriage Act, 1955 against the respondent on 03.05.2023 on various grounds, including cruelty. Despite service of summons, the respondent, though represented through counsel on several dates, has not filed the written statement till date. The application



moved by the petitioner under Order VIII Rules 1 and 10 CPC for striking off the defence of the respondent has been adjourned repeatedly and is presently fixed for 24.11.2025. Learned counsel further submits that, in terms of Order VIII Rule 1 CPC, the written statement is required to be filed within 30 days from the date of service of summons and, in exceptional circumstances, may be permitted within a maximum period of 90 days. Ultimately, it is prayed that a direction be issued to the learned Principal Judge, Family Court, Palwal, to decide the said application under Order VIII Rule 1 CPC for striking off the defence of the respondent, in accordance with law, as expeditiously as possible.

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. Considering the aforesaid facts, without expressing any opinion on the merits of the case, the present petition is disposed of. Learned Principal Judge, Family Court, Palwal, is directed to decide the application (Annexure P-13) filed by the petitioner under Order VIII Rules 1 and 10 CPC, as expeditiously as possible.

(AMARINDER SINGH GREWAL)
JUDGE

27.08.2025

anil

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No