



2026:CGHC:1160-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****FA(MAT) No. 68 of 2025**

1 - Purnima Lahre W/o Indrapal Lahre, Aged About 25 Years,
R/o Village Dalpurwa, Post- Kishungarh, Tahsil- Pandaria,
District- Kabirdham (C.G.) At Present Resident Of Village-
Vicharpur, Near Village Lalpur, P.S. Fasterpur, Tahsil And
District- Mungeli (C.G.).

... Appellant**versus**

1 - Indrapal Lahre S/o Late Bhagatram, Aged About 33 Years,
R/o Village- Dalpurwa, Post- Kishungarh, Tahsil- Pandaria,
District- Kabirdham (C.G.).

2 - Sufra Bai W/o Late Bhagatram R/o Village- Dalpurwa, Post-
Kishungarh, Tahsil- Pandaria, District- Kabirdham (C.G.).

... Respondents

For Appellant	: Mr. Resham Lal Jaiswal, Advocate.
For Respondent	: None

DB: Hon'ble Shri Justice Sanjay K. Agrawal
Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order on Board
(08.01.2026)

Sanjay K. Agrawal, J.

1. This appeal under Section 19 of the Family Courts Act read
with Section 28 of the Hindu Marriage Act has been

preferred by the appellant-wife against the order dated 10.01.2025, passed by the learned Judge, Family Court, Mungeli, District Mungeli (C.G.) in Civil Suit No.46-A/2024, whereby an application filed by the appellant under 27 of the Hindu Marriage Act, 1955 for return of stridhan was rejected.

2. The facts of the case, in brief, are that the parties got married in 2021 according to Hindu rites and rituals and the appellant-wife joined her matrimonial home. Subsequently, the husband's behavior towards her changed, and he began torturing her, doubting her character. As a result, the appellant left her matrimonial home and returned to her parental house. The appellant alleged that the respondents retained the articles/dowry given by her family members and relatives at the time of marriage. Despite her demands, the respondents refused to return the stridhan. The appellant then filed an application under Section 27 of the Hindu Marriage Act, 1955, seeking return of her stridhan. The respondents, despite being served notice, failed to appear before the Family Court, and proceeded ex parte. After trial, the Family Court rejected the appellant's application, holding that she had not made any demand for return of stridhan, and therefore, no cause of action had arisen in her favor to file the suit under Section 27 of the Hindu Marriage Act.

3. Learned counsel for the appellant-wife submits that the findings recorded by the learned trial Court in respect of non-demand of Stridhan by the appellant-wife is baseless, perverse and contrary to the facts and circumstances of the case, therefore, the impugned judgment dated 10.01.2025 is liable to be set aside in the interest of justice and the instant appeal deserves to be allowed.
4. None for the respondent though served.
5. We have heard learned Counsel appearing for the appellant and perused the material available on record.
6. In paragraph 7 of the plaint under order 18 Rule 4 of CPC, which is supported by the affidavit of the appellant-plaintiff she has clearly stated that despite repeated requests to return the stridhan brought by her, the respondents did not return and further straight-away denied to return the same. Further in para 4 of her court statement, the wife has categorically stated that on 03.07.2023, the husband was asked to return the gifted articles/stridhan, however, no reply was given by the non-applicant-husband. Therefore, the learned trial Court is absolutely unjustified in rejecting the application under Section 27 of the Hindu Marriage Act filed by the appellant-wife holding that the appellant has never made any demand from the respondents for return of stridhan.

7. In view of the above discussion, the judgment dated 10.01.2025 passed by the Family Court, Mungeli, in Civil Suit No. 46-A/2024 is set aside. The matter is remitted back to the Family Court, Mungeli, District-Mungeli, to consider and decide the matter on merits after noticing to the respondents within a period of three months. Accordingly, the instant appeal is disposed off.
8. Record of the Family Court be sent back along with certified copy of this order for compliance and necessary action.

Sd/-
(Sanjay K. Agrawal)
Judge

Sd/-
(Sanjay Kumar Jaiswal)
Judge