

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- RFA No. 28/2024
CM No. 3695/2024

Rajinder Kour

.....Appellant(s)/Petitioner(s)

Through: Mr. Akash Choudhary, Advocate

Vs

Jung Bahadur Singh

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
03.07.2024

01. The appellant and the respondent came to solemnize marriage on 28.09.1995. The respondent came to petition the court of Principal Judge, Family Court, Jammu on file No. Matrimonial Case/2152/2022 on 29.03.2022 thereby seeking a decree of divorce under section 13 of the Hindu Marriage Act, 1955 alleging cruelty from the end of the appellant.

02. The appellant appeared in said divorce petition and filed her reply to the petition but later on absented from the proceedings which resulted in initiation of ex-parte proceedings

against her and consequently resulting in passing an ex-parte decree & judgment dated 08.05.2024 thereby dissolving the marriage of the appellant and the respondent.

03. Since it is the Family Court which came to take cognizance of the matter by way of provisions of Section 7 of the Family Courts Act, 1984, as such, mandate of section 19 of said Act provides for maintainability of an appeal against judgment of a Family Court to the High Court to be heard by the Bench consisting of two or more judges and, as such, the present appeal is also to be listed before the Division Bench.

04. Learned counsel for the appellant is directed to furnish an additional set of paper-book of the memo of appeal before the Registry on 04.07.2024. Registry to list this matter before the Division Bench on 08.07.2024 given the fact that learned counsel for the appellant submits that there is an urgency in the case.

(RAHUL BHARTI)
JUDGE

JAMMU
03.07.2024
Muneesh