



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



D.B. Civil Misc. Appeal No. 797/2022

Rajendra S/o Fateh Singh, Aged About 29 Years, R/o 1709/53, Rajiv Colony, Kailashpuri, Ajmer Distt. Ajmer Presently Residing At 146, Hanuman Nagar, Near Global College, Panchsheel Link Road, Ajmer, Distt. Ajmer.

----Appellant

Versus

Neetu Kanwar W/o Rajendra, Aged About 28 Years, D/o Karan Singh, R/o Dhanakpura, Near Olna Ka Kheda, Post Lawa, Sardargarh Distt. Rajsamand.

----Respondent

Connected With

D.B. Civil Misc. Appeal No. 796/2022

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----Appellant

Versus

Neetu Kanwar W/o Rajendra, Aged About 28 Years, D/o Karan Singh, R/o Kailashpuri, Ajmer Distt. Ajmer Presently R/o Village Dhanakpura, Near Olna Ka Kheda, Post Lawa, Sardargarh, Distt. Rajsamand.

----Respondent

For Appellant(s)	:	None present
For Respondent(s)	:	None present

HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT

Order

25/02/2026

1. None appears for the appellant and similar was the position on the earlier date of hearing i.e. 20.01.2026 but no adverse



order was passed on the said date and in the interest of justice, it was adjourned for today.

2. It appears that with sheer passage of time, the appellant seems to have accepted the non-grant of decree of divorce for dissolution of marriage by the Family Court as his fait accompli and is not interested to pursue both the appeals. The second appeal arises out of a decree of restitution of conjugal rights granted to the wife under Section 9 of the Hindu Marriage Act, 1955 (hereinafter referred to as the "Act of 1955").

3. It also transpires that in case the appellant is still interested to seek divorce, he may choose his remedy under Section 13 (1A) of the Act of 1955, if so advised, provided there has been no restitution of conjugal rights. In case parties have resumed marriage, needless to say both the appeals, in any case, are rendered infructuous.

4. Be that as it may, both the appeals are dismissed with liberty aforesaid.

5. Stay petitions and pending applications also stand disposed of.

(YOGENDRA KUMAR PUROHIT),J

(ARUN MONGA),J