

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Misc. Appeal No. 1759/2020

Pawan Kumar

----Appellant

Versus

Poonam

----Respondent

For Appellant(s)	:	None present
For Respondent(s)	:	Mr. Bhavesh Trivedi for Mr. M.S. Purohit

HON'BLE MR. JUSTICE MADAN GOPAL VYAS

Order

20/11/2024

As Mr. M.S. Purohit has pleaded no instructions on behalf of respondent - caveator on 17.03.2021, therefore, office is directed to delete the name of Mr. M.S. Purohit from the cause-list.

2. The present civil misc. appeal has been preferred by the appellant-husband against the judgment and decree dated 12.02.2020 passed by Additional District Judge, Sujangarh, District Churu (for short, 'learned trial Court') in Civil Original (Divorce) Petition No.33/2018, whereby the learned trial Court allowed the application for divorce preferred by the respondent-wife under Section 13 of the Hindu Marriage Act, 1955.

3. The Division Bench in D.B. Civil Misc. Appeal No.1736/2021 (Umakant Vs. Smt. Pushpa) vide order dated 15.07.2022 and the co-ordinate Bench of this Court in S.B. Civil Misc. Appeal No.1737/2022 (Deo Karan Vs. Smt. Annu) vide order dated 09.05.2023, held that where the Family Court does not exist, and

the ADJ having charge of Family Court passes a decree of divorce, an appeal against such decree lies before the Division Bench.

4. In view of the above, office is directed to list the present civil misc. appeal appropriately.

(MADAN GOPAL VYAS),J

249-Bharti/-