

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

D.B. Civil Misc. Appeal No. 1585/2022

Dharmendra Urf Titu

----Appellant

Versus

Lalita Songara

----Respondent

For Appellant(s) : Mr. Nitin Trivedi

For Respondent(s) :

HON'BLE MR. JUSTICE VIJAY BISHNOI
HON'BLE MR. JUSTICE RAJENDRA PRAKASH SONI

Order

04/09/2023

The matter comes up for consideration of application (Inward No.1/23) filed on behalf of the appellant with a prayer to waive the period of obtaining certified copy of the impugned judgment.

Learned counsel for the appellant has submitted that the appellant has filed application under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act of 1955'), whereas the respondent-wife has filed application under Section 9 of the Act of 1955. The trial court, vide impugned judgment, has dismissed the application filed by the appellant under Section 13 of the Act of 1955, whereas allowed the application filed on behalf of respondent-wife under Section 9 of the Act of 1955.

Learned counsel has submitted that the appellant has preferred two appeals challenging the impugned judgment. It is further submitted that in one of appeals filed by the appellant, certified copy of the impugned judgment has been furnished, whereas in another appeal, photocopy of the same has been filed.

It is also submitted that later on, the appellant has obtained another certified copy of the impugned judgment and has furnished the same in the registry. It is submitted that since both the appeals were filed within limitation, in one of the appeals, certified copy of the impugned judgment could not be filed, so the period of obtaining certified copy of the order be waived.

Having heard learned counsel for the appellant and after going through the contents of the application (Inward No.1/23), we deem it appropriate to waive the period of obtaining certified copy of the impugned judgment and certified copy of the impugned judgment is taken on record.

List the appeal on 13.09.2023 along with D.B. CMA No.1586/2022.

The aforesaid application is disposed of accordingly.

(RAJENDRA PRAKASH SONI),J

(VIJAY BISHNOI),J