



2026:UHC:4042-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY

APPEAL FROM ORDER NO. 185 OF 2026

22ND MAY, 2026

Sonu Barnawal Appellant

Versus

Sangeeta Devi Respondent

Counsel for the appellant : Ms. Ruchi, learned counsel holding
brief of Mr. Shashi Kant Shandilya,
learned counsel

Counsel for the respondent : --

The Court made the following:

JUDGMENT: (per Sri Manoj Kumar Gupta, C.J.)

1) The present appeal has been filed against the order of Principal Judge, Family Court, Haridwar dated 28.04.2026, passed in Case No. 506 of 2023, whereby the application filed by the plaintiff / respondent seeking amendment in the plaint has been allowed. The petition filed by the respondent was under Section 13(1) of the Hindu Marriage Act seeking divorce on the ground of



cruelty and desertion. The trial court has allowed the amendment application subject to payment of a cost of Rs.500/- to the appellant.

2) By way of amendment, the plaintiff / respondent has sought to bring on record additional facts in relation to the ground of cruelty. The trial court has held that the amendment sought would not change the nature of the case and has accordingly allowed the amendment application.

3) Learned counsel for the appellant submits that the amendment application has been allowed after the trial has begun and the facts of physical abuse were in the knowledge of the plaintiff / respondent since the very beginning.

4) A perusal of the order-sheet reveals that issues were framed on 21.04.2025. Order dated 09.05.2025 records that the appellant is seeking repeated adjournments and is not producing his evidence. It is at this stage that the amendment application was filed by the plaintiff / respondent. A specific incidence of 16.12.2024 has been cited in the amendment application, which is of a date much after the filing of the divorce petition. Although there was some delay in filing the



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amendment application but since we find that the facts sought to be introduced were only in support of the grounds already taken in the divorce petition, therefore, to avoid multiplicity, we are of the opinion that the trial court has rightly permitted the amendment.

5) The appeal is, therefore, dismissed.

6) Pending application(s), if any, also stand disposed of.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 22ND MAY, 2026
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