

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.201 OF 2016  
(arising out of S.L.P.(Civil) No.14843 of 2009)

JYOTI SHARMA

... APPELLANT(S)

VS.

RAJINDER KUMAR SHARMA

... RESPONDENT(S)

J U D G M E N T

Anil R.Dave, J.

1. Leave granted.
2. Heard the learned counsel.
3. The impugned order is set aside.
4. It has been submitted that proceedings under Section 13 of the Hindu Marriage Act in File No.79/02 were pending in the Court of Additional District Judge, Matrimonial Cases, Jammu and the said proceedings had been withdrawn by the respondent-husband. The said proceedings have come to an end by an order dated 20<sup>th</sup> February, 2004.
5. The said order dated 20<sup>th</sup> February, 2004 is set aside and it is directed that the said proceedings shall be revived and restored to its original number. The Court of Additional District Judge shall proceed further

with the said case in accordance with law and decide the same afresh within one year from the date of receipt of this order.

6. Parties shall appear before the Court of Additional District Judge, Matrimonial Cases, Jammu on 15<sup>th</sup> February, 2016.

7. The petitioner shall file the written statement in the said proceedings before 22<sup>nd</sup> February, 2016. Learned counsel for the parties appearing before the Court of Additional District Judge shall extend their cooperation for early disposal of the matter as directed by this court.

8. A copy of this order shall be forwarded to the learned Additional District Judge, Matrimonial Cases, Jammu by the Registry of this Court.

9. In view of the above, the appeal is disposed of as allowed with no order as to costs.

.....J.  
[ANIL R. DAVE]

.....J.  
[ADARSH KUMAR GOEL]

New Delhi;  
12<sup>th</sup> January, 2016.

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.14843/2009

(Arising out of impugned final judgment and order dated 30/03/2009  
in LPA No.64/2006 passed by the High Court of J & K at Jammu)

JYOTI SHARMA

Petitioner(s)

VERSUS

RAJINDER KUMAR SHARMA

Respondent(s)

(With appln. for taking additional document on record and interim  
relief and office report)  
(For final disposal)

Date : 12/01/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE  
HON'BLE MR. JUSTICE ADARSH KUMAR GOELFor Petitioner(s) Ms. Mahalakshmi Pavani, Sr. Adv.  
Mr. G. Balaji, Adv.  
Ms. Shiva Vijaya Kumar, Adv.For Respondent(s) Ms. Meenakshi Arora, Sr. Adv.  
Mr. Shankar Divate, Adv.UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is disposed of as allowed with no order  
as to costs in terms of the non-reportable judgment.(Anita Malhotra)  
Court Master(Sneh Bala Mehra)  
Assistant Registrar

(Non-reportable judgment is placed on the file.)