

[CPC](#), 1908 Order 8, Rule 1 – Striking off the defence of the respondent/wife – Has passed the order on the ground that the period of 90+30 days [maximum 120 with grace period] for defendant to put in his written statement has elapsed – Court would also examine the foreclosure from the human angle to see where the balance of convenience would lie in accepting or dismissing request for permission to file reply beyond time statutorily fixed in Proviso to Rule 1, Order VIII of the amended CPC – Greater sensitivity must be shown by the court in matrimonial matters which cannot be compared to the standards of ordinary civil litigation where the provisions of Order VIII Rule 1 CPC may be strictly applied – [Hindu Marriage Act](#), 1955 (25 of 1955).

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