

Now proceedings”  
mentioned in section  
29(3) of



**ASSIGN  
BUSTER**

Now under Section 28 of the Act, all decrees made by the courts in matrimonial matters except on the issue of costs, are appealable. Any order passed by the courts under Section 25 or Section 26 are also appealable if they are not of interim nature. The period of appeal has also been fixed as thirty days from the date of the decree or order.

Section 28 provides that all decrees made by the court in any proceedings under the Act shall be appealable as original decrees of the court and that such appeals shall lie to the court to which appeals ordinarily lie. There is a distinction between " proceedings" under the Act and appeals. The words " suits or other proceedings" mentioned in Section 29(3) of the Limitation Act do not include appeal and suits. Section 5 of the Limitation Act applies to the appeals under the Act. In order to expedite the disposal of litigation every appeal under this section shall be preferred within a period of thirty days from the date of decree or order.

The Act does not exclude the operation of Section 5 of the Limitation Act in appeals filed under the Act. Section 28-A has been inserted by the Amendment Act of 1976. It is the reproduction of the first part of the old Section 28 which provided for the manner of enforcement of decrees passed under the Hindu Marriage Act. No special procedure has been provided for the execution of decrees and orders passed in proceedings under this Act. The execution, therefore, would be regulated by the provisions of the Code of Civil Procedure.