

**223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Revision No.7697 of 2013 (O&M)
Date of Decision: September 07, 2015**

Balwinder Singh

.... Petitioner

vs.

Paramjit Kaur

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vikas Mohan Gupta, Advocate for the petitioner.

None for the respondent.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 27.08.2013 (Annexure P-2) passed by learned Addl. District Judge, Ludhiana, vide which the petition filed by the petitioner under Section 13 of the Hindu Marriage Act, 1955 (in short 'HMA Act'), was dismissed on the ground that the petitioner did not appear and that he did not clear the arrears of maintenance till date.

Learned counsel for the petitioner has stated at bar that the petitioner is ready to pay the arrears of maintenance till date and that he may be allowed to pursue the petition under HMA Act.

Respondent in this case has not appeared despite service.

Since the petitioner is ready to pay the arrears of maintenance and the interest of justice requires that the petition under the HMA Act should be decided on merits, therefore, the impugned order dated 27.08.2013 (Annexure P-2) is set aside and the petition under the HMA Act shall stand restored on the day when the petitioner puts in appearance along with the copy of this order and along with the arrears of the maintenance till date in the shape of demand draft within thirty days from the date of order.

The present revision petition is, accordingly, allowed.

September 07, 2015
sarita

(KULDIP SINGH)
JUDGE