

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.280-M of 2005 (O&M)
Date of decision: 16.07.2015.

Harmohinder Singh

.....Appellant

versus

Manjit Kaur

.... Respondent

CORAM : HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MS. JUSTICE RAJ RAHUL GARG

Present: None for the appellant.

Mr. Madan Lal, Advocate for
Mr. Raman Mahajan, Advocate for the respondent.

M. JEYAPPAUL, J.

Appellant-Harmohinder Singh has filed the present appeal aggrieved by the dismissal of the petition under Section 13 of the Hindu Marriage Act, 1955 filed against his wife Manjit Kaur praying for dissolution of marriage on the ground of cruelty.

During the pendency of this appeal, the respondent-wife filed a petition under Section 24 of the Hindu Marriage Act 1955, praying for maintenance *pendente lite* and litigation expenses. We passed an order on 16.02.2006 in the said application directing the appellant herein to pay maintenance of ₹2,000/- per month *pendente lite* after adjusting ₹500/- which is being paid by the appellant to the respondent towards maintenance of his daughter.

The matter came up on 25.03.2015. Having found that the

appellant had not paid the arrears of maintenance, we directed the appellant to pay the arrears of maintenance by the next date of hearing. Consistently for five hearings, we directed the appellant to pay the arrears of maintenance however, our direction has virtually fallen on deaf ears.

In fact the respondent wanted to take some coercive steps as against the appellant in Australia where the appellant is residing. We directed the appellant through his counsel to furnish his address in Australia so that the respondent-wife could take coercive steps for payment of maintenance. Even contempt proceedings for non-compliance of our direction to give the address of the appellant in Australia was also contemplated but the appellant has chosen not to furnish his address in Australia. He has also not paid the arrears of maintenance till today. When the matter came on 9.7.2015 for hearing a request was made by counsel for the appellant to post this matter after one week for payment of entire arrears of maintenance. We acceded to the request of the counsel for the appellant and posted the matter for today. Unfortunately, counsel for the appellant has not shown any courtesy to appear before this Court to inform as to what actually is the stand of the appellant.

In view thereof, the appeal stands dismissed in default.

(M. JEYAPPAUL)
JUDGE

(RAJ RAHUL GARG)
JUDGE

16.07.2015
Manoj Bhutani