

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

(210)

**CRR (F) No.23 of 2015
Decided on: October 09, 2015.**

Bahadur Singh

.... Petitioner

Versus

Kulwinder Kaur and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Sandeep Singh, Advocate, for the petitioner.

Mr. J.S Cooner, Advocate, for the respondents.

M.M.S. BEDI, J (ORAL)

In proceedings under Section 125 Cr.P.C the defence of the petitioner-husband had been struck off on account of he having adopted an evasive approach. Notice was issued to the respondent-wife subject to petitioner depositing a sum of Rs.20,000/- with the Registry. The said amount stands already deposited.

Learned counsel for respondent No.1 has not been able to satisfy this Court as to why the petitioner-husband should not be granted a fair opportunity to contest the proceedings.

In the interest of justice, the petition is allowed. Order dated 19.12.2014 is hereby set aside subject to payment of total costs of Rs.25,000/- to the respondent-wife (applicant before the trial Court). Sum of Rs.20,000/- has already been paid. The petitioner will pay another sum of Rs.5,000/- to the respondent-wife while filing his written reply within a

period of 15 days after appearance before the trial Court on 31.10.2015. In case, the petitioner fails to file written statement and reply to any application for interim maintenance and pay the balance amount of costs i.e. Rs.5,000/-, this petition will be deemed to have been dismissed.

Parties are directed to appear before the trial Court on 31.10.2015, or on the date already fixed, which is later.

(M.M.S. BEDI)
JUDGE

October 09, 2015
harsha