

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

**FAO No. 10089 of 2014 (O&M)
Decided on : 05.02.2015**

Ram Dass

... Appellant

Versus

Suman Bala

... Respondent

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE SNEH PRASHAR**

PRESENT: Mr. Vivek Khatri, Advocate
for the appellant.

AJAY KUMAR MITTAL, J. (Oral)

On December 15, 2014, the following orders was passed:-

“Since the appellant has to blame himself for the order dated 17.10.2014 passed by the Family Court at Hisar granting divorce to the respondent-wife, prima-facie, it appears to us that the appeal shall be entertained only if (i) the appellant pays the entire arrears of maintenance alongwith interest @ 12% per annum in this Court by way of a demand draft in favour of the respondent-wife; (ii) He shall deposit an additional amount of Rs.50,000/- with the Registrar Judicial of this Court, to be paid to the respondent-wife towards litigation charges, and (iii) he shall also give an undertaking to pay the penalty as may be determined by this Court.

Learned counsel for the appellant seeks some time to have instructions.

As prayed for, list on 19.01.2015.”

2. On January 19, 2015, learned counsel for the appellant sought more time to comply with the order dated December 15, 2014. Accordingly,

the case was adjourned to 05.02.2015.

3. Today learned counsel for the appellant states that the appellant is a poor labourer and is unable to pay the entire arrears of maintenance and comply with the terms of order dated December 15, 2014.

4. Learned counsel for the appellant states that he has instructions to withdraw the instant appeal. It was thus prayed that the appeal be dismissed as withdrawn.

5. Dismissed as withdrawn, as prayed.

(AJAY KUMAR MITTAL)
JUDGE

(SNEH PRASHAR)
JUDGE

February 05, 2015

J.Ram