

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

**Crl. Rev.(F) No.260 of 2015 (O&M)
Date of decision : 30.11.2016**

Yogesh Prabhakar

.....Petitioner(s)

Versus

Monika Prabhakar and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Petitioner in person.

ANITA CHAUDHRY, J.

The petitioner has filed this revision against the order dated 16.07.2015 passed by the District Judge, Family Court, Ambala in a execution petition.

The petitioner had been proceeded ex-parte in the execution petition. He filed an application for setting aside the ex-parte order. That application was allowed and the following order was passed:-

“In view of no objection endorsed by the counsel for the DH on the application filed for setting-aside the ex parte order dated 24.04.2014, application is allowed but subject to payment of Rs.300/- as costs which is to be paid by the JD to the DH on the next date of hearing. Accordingly, applicant, after payment of costs, is allowed to join the proceedings of this execution-petition. He is directed to come present along with arrears of maintenance on 14.09.2015.”

The above order would shows that the prayer of the petitioner had been accepted and the ex-parte order had been set aside on payment of Rs.300/- as cost. The petitioner was allowed to join the proceedings only after the payment of cost as it was a conditional order. No adverse order has been passed against the petitioner. The petitioner had placed on record the order passed on 14.09.2015. The petitioner has failed to appear on the adjourned hearing and had also failed to pay the cost. The petitioner says that now the execution proceedings have been transferred to Delhi. The petition deserves to be dismissed and is dismissed.

30.11.2016

Sunil

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No