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**C.M. No. 4168-CII of 2016 in/and
F.A.O. No. M-231 of 2009 (O&M)**

Brig. R.M.Soni (Retd.)

vs.

Chand Soni

Present: Mr. Arnav Sood, Advocate for
Mr. Amit Jain, Advocate
for the appellant

* * * *

Appellant-Brig. R.M.Soni (Retd.) had filed a petition under Section 13 of the Hindu Marriage Act, 1955 seeking divorce from his wife Chand Soni. The said petition was dismissed by Additional District Judge, Panchkula on 25.5.2009.

He filed the present appeal against the said judgment and decree dated 25.5.2009.

During the pendency of this appeal the case has been referred to the Lok Adalat to explore the possibility of compromise. Notices were duly sent to the parties.

The appellant filed an application that he does not wish to pursue the present appeal because of deterioration of his health during the intervening period as he is suffering from pre-malignant cancer, stroke due to blood clot in brain, diabetes and high blood pressure and the present appeal be dismissed as withdrawn.

This application was also filed before us in the background of the said facts. Since the appellant does not want to pursue the present appeal and seeks withdrawal of the same, the present appeal stands dismissed as withdrawn.

Copy of the order be supplied/sent to the counsel/parties
and file be returned to the High Court.

(R.S.MONGIA)
PRESIDENT

(ARVIND KUMAR)
MEMBER

05.04.2016
Janki