

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

**COCP-2591-2013 (O&M)
Date of decision: 22.02.2017**

Geeta

.....Petitioner

Versus

Suraj Mohan

.....Respondent

**CORAM : HON'BLE MR.JUSTICE T.P.S. MANN
HON'BLE MR.JUSTICE H.S. MADAAN**

Present: Petitioner in person with
 Dr. Deepak Jindal, Advocate.

Respondent in person with
Mr. Parmod Chauhan, Advocate.

T.P.S. MANN, J. (ORAL)

On account of default on the part of the respondent in not paying the amount of maintenance as awarded by this Court under Section 24 of the Hindu Marriage Act during the pendency of the appeal against the decree of divorce, the petitioner-wife had filed the present petition.

Learned counsel for the parties submit that once the matrimonial dispute between the parties has been amicably resolved, the

petitioner-wife may be permitted to withdraw the present petition wherein she had sought the prosecution of the respondent for committing contempt of the Court.

It is true that once the notice is issued on the contempt petition, the petitioner who had initiated contempt proceedings cannot seek withdrawal of the contempt petition as a matter thereafter is only between the Court and the contemner. However, once the contempt proceedings had been initiated on account of non-payment of the maintenance amount and the matter between the parties stands amicably resolved, no useful purpose will be served by keeping the contempt petition alive. On the other hand, it would be in the fitness of things if the petitioner is permitted to withdraw the contempt petition.

Resultantly the miscellaneous application i.e. CM-999-CII-2017 filed by the petitioner is allowed and the contempt petition i.e. COCP-2591-2013 is disposed of as having been withdrawn.

(T.P.S.MANN)
JUDGE

(H.S. MADAAN)
JUDGE

22.02.2017
Gaurav Sorot

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| 1. | Whether reportable? | No |
| 2. | Whether reasoned / speaking? | No |