

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

COCP No.954 of 2017 (O&M)

Date of Decision: 30.08.2017

Pallavi Kumari Yadav

....Petitioner

Versus

Pradeep Kumar Yadav

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- None for the petitioner.

Respondent, in person along with
his counsel Mr. Aayush Gupta.

DAYA CHAUDHARY, J. (ORAL)

Notice of motion in the case was issued on 21.04.2017. Thereafter, it has been adjourned on various dates. On 06.07.2017, both the parties were present and they were heard in person. The case was adjourned on joint request for 02.08.2017. On said date i.e 02.08.2017, the petitioner was not present. Thereafter, again on 03.08.2017, neither the petitioner nor any counsel on her behalf was present even after pass over but the respondent was present. One more opportunity was granted to the petitioner to be present in Court, failing which the contempt petition was ordered to be dismissed and the case was adjourned for 04.08.2017.

Meanwhile, it has been brought to the notice of this Court that the petitioner had filed Case bearing No.MAT, APP (F.C) 72 of 2017 before the High Court of Delhi at New Delhi, wherein, the following order was

passed :-

“ 1. As per the office report, the respondent has not been served either directly or through his counsel. Appearance is entered by Mr. Piyush Sharma, Advocate alongwith the respondent, who states that he has received a complete set of the paper book.

2. We are informed that there are several proceedings pending between the parties, including one contempt petition filed by each of the parties against each other and a habeas corpus petition filed by the appellant against the respondent, which are pending before the Punjab & Haryana High Court. It is stated that the learned Single Judge, Punjab & Haryana High Court is facilitating a settlement between the parties and efforts on these lines were made last month and in the beginning of August, 2017. The next date fixed before the said Court is 30.08.2017.

3. Both the parties shall ensure their presence before the learned Single Judge, Punjab & Haryana High Court in the pending litigation for taking the talks of settlement forward and for a peaceful resolution.

4. List in the category of 'Directions' for reporting settlement, if any, on 13.09.2017.

DASTI to the parties.”

In said order, there was a reference of the order passed by this Court. It was specifically mentioned in said order that keeping in view the order passed by this Court and proposed settlement, both the parties shall ensure their presence before this Court in the pending litigation for talks of settlement.

Today also, the case has been called twice but neither the

petitioner nor her counsel is present. Respondent along with his counsel is present. Although, an adjournment slip has been put up by the petitioner on the ground that she is not in the city but at nearby area.

The case was taken up after lunch so that the petitioner may come present. Before lunch, a request was made by some counsel to get instructions regarding presence of the petitioner but she is not present in spite of last opportunity being granted to her on 03.08.2017.

In view of order passed on 03.08.2017, the present contempt petition is dismissed for want of prosecution.

30.08.2017
gurpreet

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No