

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

-:-

CRM M 31886 of 2016

Date of decision: 05.04.2017

Amrik Singh

.....*Petitioner*

v

Rajwinder Kaur and another

.....*Respondents*

Coram: HON'BLE MRS. JUSTICE REKHA MITTAL

-:-

Present: Mr. Dinesh Nagar, Advocate
for the petitioner

Mr. Sachin Bhardwaj, Advocate
for the respondents

-:-

Rekha Mittal, J. (Oral)

The present petition directs challenge against order dated 29.08.2016 (Annexure P2) passed by the District Judge, Family Court, SBS Nagar whereby defence of the petitioner has been struck off for want of payment of interim maintenance.

Counsel for the parties are *ad idem* that in case the petitioner clears arrears of interim maintenance in compliance with order of even date passed in CRR (F) 33 of 2016, the impugned order may be set aside with liberty to the petitioner to cross examine the witnesses already examined by respondent No. 1.

In view of the above, in case the petitioner clears arrears of maintenance in terms of order of even date passed in CRR(F) 33 of 2016, order dated 29.08.2016 would stand set aside and the petitioner shall be entitled to cross examine the witnesses of the respondents already examined or yet to be examined. It is further clarified that after evidence adduced by the respondents, the petitioner shall be entitled to adduce his own evidence. The petitioner shall pay costs of Rs.2,000.00 to the respondents as the witness(es) would be recalled for the purpose of cross examination.

(Rekha Mittal)
Judge

05.04.2017

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*