

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

CRR No.2158 of 2016 (O&M)

Date of decision: 18.01.2017

Sandeep Kumar

...Petitioner

Versus

Geeta Devi

...Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Anil Kumar Gahlawat, Advocate for the petitioner.

Respondent in person with Mr. Sanjeev Sharma, Advocate.

REKHA MITTAL J. (Oral)

The present petition directs challenge against orders dated 02.05.2013 passed by the Sub-Divisional Judicial Magistrate, Pataudi and dated 23.02.2016 passed by Sessions Judge, Gurgaon whereby the petitioner has been directed to pay maintenance to the respondent.

Counsel for the respondent has submitted that the petitioner has not only defaulted in making payment of arrears of maintenance but he has even failed to pay litigation expenses to the tune of Rs.10,000/-.

Counsel for the petitioner has submitted that the petitioner is confined in jail due to his default in payment of maintenance. He has expressed inability of the petitioner to pay litigation expenses.

As the petitioner has failed to pay the litigation expenses, he is not entitled to be heard on merits of the petition. Accordingly, the petition fails and is ordered to be dismissed.

18.01.2017

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**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No