

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

**CRR(F) No.103 of 2014
Date of decision: 08.02.2017**

Pankaj Arora
Jyoti Arora and another

Versus

...Petitioner
...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Ranjivan Singh, Advocate with petitioner in person.

Mr. Mandeep Malik, Advocate
with respondents No.1 and 2 in person.

REKHA MITTAL J. (Oral)

The present petition directs challenge against order dated 29.03.2014 passed by the District Judge, Family Court, Sonapat whereby the respondent – wife and the minor son have been awarded maintenance @ Rs.30,000/- per month to petitioner No.1 and Rs.20,000/- per month to petitioner No.2 (respondents herein).

On 04.12.2015, an order was passed by this Court directing the petitioner to pay the remaining amount on or before the next date of hearing by allowing stay with regard to payment of Rs.20,000/- per month. A relevant extract from the said order reads as follows:-

“There will be stay with respect to payment of Rs.20,000/- per month. Remaining amount shall be paid on or before next date of hearing.”

The parties were relegated to the Mediation and Conciliation Centre of the Court but they could not arrive at a settlement.

On 18.11.2016, order passed by this Court reads as follows:-

“Report has been received on the last date of hearing, but none has put in appearance on behalf of the petitioner.

Learned counsel for the petitioner says that petitioner is not present today and seeks adjournment.

Learned counsel for the respondent No.1 states that a sum of Rs.9 lacs is due. After March, 14, 2016 a sum of Rs.75,000/- has been paid.

Petitioner is directed to clear the arrears as per order dated 04.12.2015 @ Rs.30,000/- p.m. to respondent No.1 before the next date of hearing.

Adjourned to 08.02.2017.”

The petitioner has failed to clear the arrears of maintenance even @ Rs.30,000/- per month.

Counsel for respondent No.1 has submitted that at present an amount of Rs.9,60,000/- is due.

Counsel for the petitioner has submitted that after the last date of hearing i.e. 18.11.2016, the petitioner has paid an amount of Rs.40,000/- by way of demand draft in the proceedings pending under the Protection of Women from Domestic Violence Act, 2005. Counsel for the petitioner states that the petitioner wants to engage some other counsel and the matter may be adjourned.

As the petitioner has failed to clear the arrears of maintenance even @ Rs.30,000/- per month despite repeated opportunities since December, 2015, he has dis-entitled himself to be heard on merits of the case. Accordingly, the petition is dismissed.

08.02.2017

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**(REKHA MITTAL)
JUDGE**

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| 1. | Whether speaking/reasoned: | Yes/No |
| 2. | Whether reportable: | Yes/No |