

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

FAO-M-296-2011.

Decided on: August 16, 2017.

Prabhjot Singh Kakkar

.. Appellant

VERSUS

Mannu Sehgal

.. Respondent

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

*** * ***

PRESENT

None for the appellant.

**Mr.Kamal Grover, Advocate,
for the respondent.**

M.M.S. BEDI, J. (ORAL)

Aggrieved by the dismissal of his petition under Section 13 of the Hindu Marriage Act, vide order dated 26.7.2011, passed by the Additional District Judge, Chandigarh, the appellant has filed the present appeal before this Court.

During pendency of the appeal, the appellant has expired as per the information supplied by the respondent present in the Court. A perusal of the file indicates that on matter having been referred to the Mediation and Conciliation Centre, on 12.4.2013 the parties had entered into a settlement to the effect that they would part ways by getting divorce on the basis of mutual consent by moving a petition under Section 13-B of the Hindu Marriage Act. The respondent present in the Court informs that pursuant to the settlement dated 12.4.2013, no petition had been filed under Section 13-B of the Hindu Marriage Act.

On asking of the Court, it has been informed by the counsel for the respondent that the parents of the appellant have also died and that no child had born out of the wedlock. Prima facie, it appears that the individual right to sue does not survive with the death of the appellant.

No one has put in appearance on behalf of the appellant on the second consecutive date.

The appeal is dismissed as having abated.

(M.M.S. BEDI)
JUDGE

August 16, 2017.
raj arora

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No