

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

CRR-2263-2016 (O&M)

Date of Decision: 13.08.2018

Shiv Govind Singh

...Petitioner

Versus

Gurmeet Kaur

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a civil revision petition that has been filed seeking to challenge the order dated 03.08.2015 passed by the Additional Sessions Judge, Ludhiana dismissing the appeal filed against the order dated 12.07.2012 passed by the Court of Sh. Ashish Thathia, JMIC, Ludhiana allowing interim maintenance to the respondent herein in the proceedings under the Domestic Violence Act.

The respondent-complainant namely Lt. Col. Gurmeet Kaur, filed a petition under Section 12 of the Domestic Violence Act, 2005 against the petitioner herein, praying for necessary relief thereunder along with right of residence in the shared household.

By order dated 12.07.2012 the right of residence in the shared household was allowed to the respondent-complainant, which was challenged in an appeal before the Additional Sessions Judge, Ludhiana.

The appeal was dismissed vide order dated 03.08.2015 passed by the Additional Sessions Judge, Ludhiana which has been challenged by way of filing the instant criminal revision on 03.06.2016. Along with the said criminal revision petition, an application has also been preferred under Section 5 of the Limitation Act for seeking condonation of delay of 205 days delay in filing the instant revision petition.

Notice of the said application for condonation of delay was issued as far back as 10.06.2016. Several opportunities were given to the petitioner to furnish correct addresses, which orders were not complied with.

This Court by order dated 16.08.2017 took note of the fact that three opportunities have been given to the counsel for the petitioner to furnish correct addresses, which orders had not been complied with.

It was also noted that the counsel for the petitioner was not present in Court and even despite his absence and in the interest of justice, the case was adjourned for a period of two weeks with a stipulation that notices be issued to the respondents in case correct addresses are furnished. It was also directed that in case the needful is not done, it would be deemed that the petitioner is not interested in pursuing the matter. The case was thereafter adjourned for 02.02.2018 and subsequently adjourned to 13.08.2018, on account of the fact that the matter was not taken up in Court.

As per the office report/noting, the petitioner herein has chosen not to comply with the said order and has not furnished the correct addresses of the respondents.

The matter is taken up today and while taking note of the previous orders passed by this Court as well as the office noting that fresh correct addresses has not been furnished so far, therefore, this petition is dismissed for non-prosecution.

August 13, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No