

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

231

FAO-M-16 of 2012 (O&M)

Date of Decision:- 16.2.2018

Manoj Atri

... Appellant

Versus

Deepa Atri

... Respondent

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI  
HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Vinod Bhardwaj, Advocate, for the appellant.

Mr. Rakesh Gupta, Advocate, for the respondent.

\*\*\*\*\*

**M.M.S. BEDI, J.**

Miscellaneous application CM-25514-CII-2017 is allowed.

Documents Annexure A-1 and A-2 are permitted to be taken on record.

The appellant had paid a sum of ₹20,000/- out of ₹40,000/- and balance of ₹20,000/- towards litigation expenses is pending. The same has not been paid. The maintenance pendente lite at the rate of ₹10,000/- per month has also not been paid.

The appellant has made a statement, in writing, that he does not want to pay any amount as per order of this Court dated 14.9.2017 to respondent-Deepa Atri. Appellant further submits that as he has been paying maintenance under Section 125 Cr.P.C. to the son, he would not pay any maintenance pendente lite to the respondent.

The appellant, present in the Court, has been informed about the consequences of non-compliance of the order under Section 24 of the Hindu Marriage Act in vernacular. The appellant is adamant not to pay any

maintenance pendente lite or litigation expenses to the respondent.

In view of the said circumstances, the appeal cannot be permitted to be continued. The appeal is dismissed for non-payment of the arrears of maintenance pendente lite. The judgment and decree passed by the lower Court granting divorce to the respondent is upheld.

( M.M.S. BEDI )  
JUDGE

( GURVINDER SINGH GILL )  
JUDGE

February 16, 2018  
mohan

|                            |          |
|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |