

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-M-67-2012

Date of Decision: 29.11.2018

SUKHDEV SINGH

....Appellant

VS.

SUKHWINDER KAUR

...Respondent

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Amandeep Kaur, Advocate,
 for Mr. J.B.S. Gill, Advocate,
 for the appellant.

Ms. Sumanjit Kaur, Advocate,
 for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

Learned proxy counsel appearing on behalf of the appellant has prayed for an adjournment on the ground that the arguing counsel is in personal difficulty.

Learned counsel for the respondent has submitted that this Court, vide order dated 09.07.2018, had asked the appellant to clear the arrears towards maintenance and the case was adjourned to 13.08.2018. She has also drawn the attention of the Court on the order dated 13.08.2018, in which it is specifically mentioned that *in case, the appellant does not appear to clear the arrears, the appeal will be dismissed on the next date of hearing for non-compliance of the order*. Thereafter, on 27.08.2018, learned counsel for the appellant did not appear and last opportunity was granted to the appellant to clear the arrears of maintenance. On 11.10.2018, this case was adjourned for today on the written request of learned counsel for the

appellant. Even today, there is a request made by the proxy counsel appearing on behalf of the arguing counsel for an adjournment.

It appears that the appellant is not inclined to comply with the order dated 09.07.2018 passed by this Court to pay the arrears of maintenance, therefore, following the order dated 13.08.2018 passed by this Court, present appeal is hereby dismissed.

It is needless to mention that the respondent-wife would in any case be entitled to recover the amount of arrears of maintenance *pedente lite* in accordance with law separately.

[RAKESH KUMAR JAIN]
JUDGE

November 29, 2018
Ess Kay

[ANUPINDER SINGH GREWAL]
JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	<i>/</i>	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>/</i>	<i>No</i>