

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-M-128-2016 (O&M)
Date of Decision:- 5.2.2018

Anil Kumar

... Appellant

Versus

Smt. Sudesh

... Respondent

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

Present:- None for the appellant.

Mr. Surajmal Kundu, Advocate for the respondent.

M.M.S. BEDI, J.

Application for divorce having been dismissed by the lower Court, the appellant-husband has filed an appeal after an inordinate delay of 716 days. The delay was ordered to be condoned vide order dated 19.9.2017 subject to payment of costs of ₹ 20,000/- to be paid to the respondent-wife. Interim litigation expenses of ₹ 25,000/- had also been imposed on the appellant-husband vide same order dated 19.9.2017.

Though, Mr. Chiranji Lal, Advocate had put in appearance on behalf of the appellant-husband on various dates of hearing but the counsel opted to evade appearance on 3.11.2017. The case was called twice on said date till 3.55 PM but neither sum of ₹ 20,000/- imposed as costs nor the interim litigation expenses of ₹ 25,000/- were paid.

No one has put in appearance on behalf of the appellant-husband today as well.

Counsel for the respondent-wife has pressed for payment of the costs imposed for condonation of delay of 716 days as well as interim litigation expenses. Case called twice but no one having put in appearance on behalf of the appellant-husband, the appeal is dismissed on account of non prosecution as well as for non payment of the costs imposed for condonation of delay. The application for condonation of delay is also deemed dismissed for non furnishing of the costs.

(M.M.S. Bedi)
Judge

5.2.2018
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No