

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

**FAO-5666 OF 2018  
DATE OF DECISION : 7.9.2018**

**Paramjit Kaur**

**...Appellant**

**versus**

**Balwant Singh @ Bill Singh**

**...Respondent**

**CORAM : HON'BLE MR. JUSTICE M. M. S. BEDI  
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present : Mr. Harkaran Singh, Advocate for  
Mr. B. S. Bhalla, Advocate,  
for the appellant.

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

Appellant has filed a suit for maintenance against the respondent under the Hindu Adoption and Maintenance Act, 1956, seeking creation of charge on the property of the respondent, who is staying abroad. She also filed an application for interim maintenance in the suit which has been dismissed vide impugned order dated 9.8.2018.

A perusal of the said order indicates that by making some adverse observations against the appellant, the application has been dismissed while the respondent was ex parte. The next date before the lower Court was 6.9.2018 for recording the evidence. Since the respondent is ex parte

and is alleged to be residing in U.S.A though permanent resident of Moga, we are of the opinion that it will not be appropriate for this Court to consider prima-facie material to adjudicate the claim for interim relief of the appellant. It will be expedient, in the interest of justice, in case the appellant produces her evidence before the lower Court and seek adjudication of her final claim expeditiously instead of spending time in the present appeal.

The appeal is disposed of accordingly, relegating the appellant to establish her claim by producing evidence before the lower Court. It is directed that it will be appreciated in case the District Judge, Family Court, Moga makes an earnest endeavour to dispose of the claim of the appellant expeditiously, preferably within a period of 3 to 6 months after the next date of hearing fixed before the Court.

**(M. M. S. BEDI)**  
**JUDGE**

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**SEPTEMBER 07, 2018**  
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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable :        | YES/NO |