

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

(236)

FAO-M-75-2017 (O&M)

Date of Decision: September 10, 2018.

Hari Parkash

.... Appellant

Versus

Usha

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Rubi Patil, Advocate, for
Mr. Chanderhas Yadav, Advocate, for the appellant.

None for the respondent.

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

Dissatisfied with the grant of ex parte decree of divorce in favour of respondent-wife, the appellant-husband has preferred the present appeal. Vide order dated 16.03.2017, the appellant-husband was directed to pay a sum of Rs.20,000/- towards the interim litigation expenses to the respondent-wife.

Counsel for the appellant-husband, on last date of hearing, submitted that the appellant-husband was not in contact with her. However, in the interest of justice, one opportunity was granted to counsel for the appellant to communicate with the appellant to contest the appeal on merits after compliance of the interim directions passed by this Court.

Today, counsel for the appellant-husband submits that she has made best efforts to contact the appellant and persuade him to pay the interim litigation expenses.

In view of said circumstances, we are of the opinion that the appellant-husband is not interested to contest the appeal seriously.

The appeal is dismissed for non-payment of the interim litigation expenses with liberty to get the appeal revived within a period of one month by depositing in advance a sum of Rs.20,000/- towards the interim litigation expenses, with the Registry of this Court. It is made clear that failure of the appellant to deposit the said amount within one month would tantamount to a presumption that he is not actually interested to pursue his litigation.

Miscellaneous application i.e. CM-5800-CII-2017 is also dismissed.

(M.M.S. BEDI)
JUDGE

September 10, 2018
harsha

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No