

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

FAO-M-92-2018 (O&M)

Date of Decision: 30.11.2018

AMRINDER SINGH

....Appellant

VS.

AMRIT KAUR

...Respondent

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vipin Mahajan, Advocate,
 for the appellant.

 Mr. M.S. Basra, Advocate,
 for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

This appeal is filed by the husband who has been unsuccessful in his petition filed under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') before the learned trial Court.

At the time of preliminary hearing, the appellant was directed to bring a draft of ₹25,000/- drawn in the name of the respondent, on the next date of hearing, towards the interim litigation expenses. Thereafter, the matter was referred to the Mediation and Conciliation Centre of this Court and the appellant was directed to pay ₹25,000/- to the respondent before the Mediator. But the appellant did not pay any amount towards the interim litigation expenses as directed by this Court and the matter was sent back to this Court on the failure of mediation.

Thereafter, respondent has filed an application i.e. CMM-212 of 2018 for grant of maintenance under Section 24 of the Act.

Notice in the application was issued on 10.09.2018 for today.

Learned counsel for the appellant has submitted that the appellant is unable to pay ₹25,000/- towards litigation expenses as directed by this Court and thus, he has prayed that this appeal may be dismissed for non-prosecution with liberty to file an appropriate application for its revival in case the appellant is ready and willing to pay ₹25,000/- as interim litigation expenses to the respondent-wife.

Dismissed for non-prosecution with the liberty aforesaid.

However, it would still be open to the respondent to recover ₹25,000/- awarded by this Court vide order dated 02.04.2018 in accordance with law.

[RAKESH KUMAR JAIN]
JUDGE

November 30, 2018
Ess Kay

[ANIL KSHETARPAL]
JUDGE

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