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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAT.APP. 18/2008**

KAMLA

..... Appellant

Through: None.

Versus

MUNISH KUMAR CHHABRA

..... Respondent

Through: Ms. Sonali Malhotra and Mr. Anant
Bhardwaj, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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28.09.2018

1. None appears for the appellant.
2. This appeal under Section 28 of the Hindu Marriage Act, 1955 impugns the judgment and decree [dated 12th December, 2007 in HMA No.64/2006 of the Court of Additional District Judge, Delhi] allowing the petition under Section 13(1)(ia) & (ib) of the Act filed by the respondent husband for dissolving the marriage between the parties.
3. The counsel for the respondent husband states that the respondent husband re-married on 1st April, 2008.
4. This appeal came up first before this Court on 19th February, 2008, when while issuing notice thereof, the respondent husband was restrained, till further orders, from re-marriage. However, notice ordered to be issued to the respondent husband for 30th April, 2008 remained unserved and fresh notice was ordered to be issued and in response where to the counsel for the respondent husband appeared on 8th September, 2008.

5. The appeal was admitted for hearing on 22nd January, 2009, when the respondent husband also informed of his re-marriage.

6. The appeal was thereafter listed from time to time. On 15th July, 2016, the counsel for the appellant wife stated that he was not receiving instructions from the appellant wife, inspite of letter and communication and telephonic messages. However, on 6th October, 2016, the parties appeared and efforts for conciliation made, but without any result. The counsel for the appellant wife last appeared before this Court on 24th May, 2017, when this appeal was adjourned to 27th October, 2017. On 27th October, 2017, 31st January, 2018 and 25th May, 2018, none appeared for the appellant wife. Though vide order dated 25th May, 2018, court notice was ordered to be issued to the appellant wife and is reported to be issued but report is still awaited.

7. In the circumstances, dismissed in default.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 28, 2018

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