

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-26-2008 (O & M)
Date of decision: 15.10.2019

Sulekha Appellant

V/s

Mahabir ...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: None for the appellant.

Mr. Anil Ghangas, Advocate, for Mr. Sunil Panwar, Advocate,
for the respondent.

RAJAN GUPTA, J. (Oral)

Learned counsel for the respondent has apprised the court that the appellant preferred an execution petition pursuant to order wherein maintenance was granted to her. During execution, she filed an affidavit that all her claims have been satisfied. Photocopies of the aforesaid affidavit and order dated 28.01.2014 passed by Civil Judge (Junior Division) dated 28.01.2014 are taken on record. According to him, whereabouts of the appellant are not known at present. She remains unrepresented before this court as well.

It appears that the matter was referred to Mediation and Conciliation Centre in the year 2015. Efforts were made to contact the appellant but remained futile. Mr. Anil Ghangas, learned counsel for the respondent submits that in case the appellant still wants a decree for divorce, respondent would have no objection if Section 13-B of Hindu Marriage Act, 1955 (for short 'the Act') is invoked. In such eventuality, respondent would

not object to the waiver off the statutory period envisaged by Section 13-B of the Act.

In view of the above, it appears that nothing survives in this appeal. Same is hereby disposed of. Appellant shall, however, be at liberty to seek revival in case there is any change of circumstances.

(RAJAN GUPTA)
JUDGE

October 15, 2019
sukhpreet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No