

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

FAO-220-2016 (O&M)

Date of Decision: 22.04.2019

VIKAS VATS

..... Appellant

V/s.

SAVITA

.....Respondent

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vivek Suri, Advocate,
for the appellant.

Mr. S.S. Kharb, Advocate,
for the respondent

RAKESH KUMAR JAIN, J. (Oral)

This appeal has arisen from the judgement and decree dated 01.10.2015 passed by the Family Court, Rohtak by which a petition under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') filed by the appellant-husband for grant of a decree of divorce was dismissed.

During the pendency of the appeal, respondent-wife had filed an application under Section 24 of the Act which was allowed on 02.02.2017 and the respondent-wife was granted maintenance @ ₹7,500/- per month after adjusting ₹5,000/- already awarded under the provisions of the Protection of Women from Domestic Violence Act, 2005.

On 18.03.2019, the appellant was directed by this Court to make the payment of the aforesaid amount and it was made clear that in case entire arrears is not paid by him then his defence shall be automatically struck off.

Learned counsel appearing on behalf of the appellant has submitted that the appellant is not in a position to comply with the order dated 02.02.2017 passed by this Court.

In view of the aforementioned facts and circumstances, the defence of the appellant-husband is struck off and in the absence of any defence from the appellant-husband we do not find any reason to continue with this appeal and the same is hereby dismissed as such.

[RAKESH KUMAR JAIN]
JUDGE

April 22, 2019
Ess Kay

[HARNARESH SINGH GILL]
JUDGE

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