

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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FAO No.2225 of 2017 (O & M)
Date of Decision: 22.01.2019

Balbir Chand

.....Appellant

Vs.

Romi

..... Respondent

**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL**

Present: - Mr.J.P. S. Madaan, Advocate for the appellant.

Mr. Sanjeev Sharma, Advocate for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

The present appeal is preferred by the appellant-husband, who has been unsuccessful before the learned trial Court in a petition filed by the respondent-wife under Section 6 and 13 of the Hindu Minority and Guardianship Act, 1956 read with Sections 7, 12 and 25 of the Guardian and Wills Act, 1890 seeking custody of the minor children namely Karanveer and Deepika.

On 17.10.2018, this Court had passed the following order:-

“Learned counsel for the respondent has submitted that the appellant has been ordered to pay ₹6,000/- as maintenance w.e.f. 03.08.2015. The said order has been challenged by the appellant by way of

Civil Revision No.5371 of 2018 in which this Court has stayed award of 50% amount of maintenance.

Learned counsel for the respondent has, thus, submitted that the respondent is liable to pay at least ₹3,000/- w.e.f. 03.08.2015 till date.

Learned counsel for the appellant prays for an adjournment on the ground that the aforesaid amount of ₹3,000/- w.e.f. 03.08.2015 shall be paid on or before the next date of hearing.

On his request, adjourned to 10.12.2018.”

Learned counsel for the appellant has submitted that despite his best efforts the appellant had not come forward to make the payment of maintenance pendente lite as ordered by this Court on 17.10.2018.

In view thereof, we do not find any reason to proceed with the appeal in the absence of the payment of maintenance pendente lite.

Therefore, the present appeal is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

22.01.2019
A.Kaundal

Whether speaking /reasoned : Yes/No

Whether Reportable : Yes/No