

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

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**FAO-M-216-2017 (O&M)
Date of Decision : 26.03.2019**

Jagat Singh

... Appellant

Versus

Kiran Devi

...Respondent

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

Present: Mr. Nagar Singh, Advocate for
Mr. A.S.Virk, Advocate for the appellant.

Mr. Rishabh Lohan, Advocate for the respondent.

RAKESH KUMAR JAIN, J.(ORAL)

This appeal has arisen from the judgment and decree dated 13.07.2017 by which petition filed under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') by the appellant-husband for seeking dissolution of his marriage with the respondent, by way of decree of divorce, on the ground of cruelty was dismissed.

At the time of issuance of notice, this court had directed the appellant-husband to pay a sum of ₹25,000/- by way of bank draft to the respondent, towards interim litigation expenses. Thereafter, the respondent had filed CMM No.5 of 2018 under Section 24 of the Act for seeking maintenance *pendente lite* and litigation expenses in which, notice was issued and time was taken by the appellant-husband for filing reply. Case thereafter adjourned for many times on the request of the appellant-husband to file reply to the application filed under Section 24 of the Act as well as to pay the interim litigation expenses.

Today, learned counsel for the appellant has submitted that appellant is not coming forward either to make the payment of ₹25,000/- towards interim litigation expenses as directed by this court way back on 12.09.2017 or to even file reply to the application filed under Section 24 of the Act.

In view thereof, it appears that appellant is not interested in pursuing the present appeal. Thus, defence of the appellant is hereby struck off and as a consequence thereof, appeal is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

26.03.2019

pooja saini

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No