

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

230

FAO-M-290-2017
Date of Decision: 24.1.2019

JASDEEP KARAN SINGH

....Appellant.

Vs.

NAVNEET KAUR AND ORS

....Respondents.

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

Present: Mr. S.K. Saini, Advocate for
Mr. D.P.S. Randhawa, Advocate
for the appellant.

Mr. Anish Verma, Advocate for
Mr. Deepak Arora, Advocate
for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

This appeal has arisen from the judgment and decree dated 6.9.2017 passed by the Additional District Judge, Gurdaspur by which a petition filed by the appellant husband under Section 13 (1) (ia) of the Hindu Marriage Act, 1955 (for short 'the Act') for seeking dissolution of marriage on the ground of cruelty and desertion was dismissed.

At the time of issuance of notice on 4.12.2017, following order was passed by this Court:-

*“Aggrieved by the dismissal of his
petition for divorce, the husband has preferred this
appeal.*

Notice to the respondents for 24.4.2018.

*The appellant shall pay a sum of
₹25,000/- in the shape of bank draft to respondent
No.1 on next date of hearing towards interim
litigation expenses.”*

It is not in dispute that the appellant did not appear before the Mediator and ultimately on 18.1.2019, the Mediator passed the following order:-

“In view of the report dated 16.1.2019 (Flag-A) of Mr. Rohit Suri, Mediator, the case which is fixed for 24.1.2019, be sent to the Branch concerned for listing the same before the Hon’ble Bench.”

Apropos, the matter has been listed before this Court for appropriate orders. Today also, the appellant has not brought ₹ 25,000/- which was ordered by this Court way back on 4.12.2017. Rather, a request has been made for an adjournment. It appears that the appellant is playing hide and seek with this Court and is not interested in pursuing the present appeal because he has neither paid the amount of interim litigation expenses as ordered by this Court when the proceedings were pending before this Court nor before the Mediator as he never chose to appear before the Mediator despite several opportunities were granted by him.

In view of the above, the present appeal is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

24.1.2019.

SwarnjitS

Whether speaking/reasoned :	YES/NO
Whether reportable :	YES/NO