

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

**FAO-M-6-2017 (O&M)
Decided on : 12.09.2019**

Kulpreet Singh

. . . Appellant

Versus

Manjeet @ Maini

. . . Respondent

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

PRESENT: Mr. Pawandeep Singh, Advocate
for the appellant.

Mr. Raman Goklaney, Advocate
for the respondent.

RAJAN GUPTA, J. (Oral)

On 02nd September, 2019, following order was passed:-

“On 29.10.2018, the appellant was directed to bring a draft of ₹50,000/- towards the arrears of maintenance. Thereafter, the case has been adjourned three times but the said order has not been complied with despite the last opportunity granted by this Court on 12.04.2019. Still the appellant is praying for one more opportunity to pay the amount of ₹50,000/-.

Adjourned to 13.5.2019.

It is made clear that if the amount of ₹50,000/- is not paid on or before the next date of hearing then the defence of the appellant shall be struck off.

Amount of ₹50,000/- has not been brought today. It appears that appeal may have to be dismissed for non-

prosecution. However, counsel for the appellant prays for one last opportunity to address arguments.

Adjourned to 12.09.2019.”

Admittedly, the appellant has not brought the draft of ₹50,000/- in Court today as well. He has been incarcerated several times for non-payment of maintenance under Section 125 Cr.P.C. Under such circumstances, we feel that the instant appeal needs to be dismissed for non-prosecution.

Ordered accordingly. Liberty, however, is granted to the appellant to seek revival in case there is any change in the circumstances.

(RAJAN GUPTA)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

September 12, 2019

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*