

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 134 of 2010**

- Shashank Jaiswal S/o Shri Radhe Shyam Jaiswal, aged 29 years, R/o Shop 5, Maitri Apartment, Risali, Bhilai, Presently residing at Gupta Typing, Near Water Tank, Bilha, Tehsil Bilha, District Bilaspur (CG)

---- Appellant**Versus**

- Neelam Jaiswal W/o of Shri Shashank Jaiswal & daughter of Shri Shivnath Prasad Yadav, aged about 29 years, Block No.7/A, Road No.11, Sector-5, Bhilai, District – Durg (CG)

---- Respondent

For Appellant : None.

Respondent in person : Smt. Neelam Jaiswal.

D.B.:- Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****20/01/2020**

This is an appeal against judgment and decree of the Family Court by which, appellant's application for grant of decree of divorce has been dismissed.

On 13/01/2020, respondent appeared in person and on her request, the case was adjourned for today by giving a fixed date of hearing so that the matter could be finally decided. Though the counsel engaged by Lok Adalat Shri Roop Naik is present in the Court, the respondent who appeared in person has expressed that she is willing to argue her own case and does not want any counsel engaged to represent her in the Court.

This case was called on for hearing but there is no representation made on behalf of the appellant.

Earlier also, this appeal was dismissed for want of prosecution and then

restored vide order dated 15/07/2015. Thereafter, the case was again dismissed for want of prosecution and again on the prayer made, it was restored on 07/02/2018.

Even though the case is listed at the top of the list, there is no appearance made and it is now 3 PM.

In view of above, in our opinion, the appellant is abusing the process of law and without having any intention of getting the appeal decided on merits, he is repeatedly inviting orders of dismissal for want of prosecution and then coming out with an application for restoration of the case.

The appeal is, therefore, dismissed for want of prosecution.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge