

In virtual Court

CRM-M-5468-2022

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5468-2022 (O&M)
Date of decision: 10.02.2022

Piyush Jain

... Petitioner

Vs.

Samta Jain and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sunil Chadha, Sr. Advocate with
Mr. Akshay Chadha, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 10.12.2021 passed by the Additional Principal Judge, Family Court, Ludhiana, in a case bearing No.MNT/125/688 of 2019 dated 06.07.2017, vide which cross-examination of respondent No.1-Samta Jain PW4, wife of the petitioner has been ordered to be treated as Nil, on the ground that the petitioner has not cleared the arrears of maintenance.

Learned senior counsel for the petitioner submits that on 07.02.2022, in presence of learned counsel for respondent No.1-wife, in CRR(F)-64-2021 and CRR(F)-119-2021, following order was passed: -

“Learned senior counsel for the petitioner, at the very outset,

In virtual Court

CRM-M-5468-2022

-2-

submits that the petitioner – Piyush Jain, will hand over a demand draft of Rs.5.00 lacs, favouring the wife Samta Jain, before the trial Court within a period of 10 days from today.

List again on 24.02.2022.

In case the demand draft of Rs.5.00 lacs is handed over to the respondent-Samta Jain, the defence of the petitioner will not be struck off and he will be permitted to further cross-examine Samta Jain as well as other witnesses...”

Learned senior counsel has further submitted that in compliance of the aforesaid order, the demand draft of Rs.5.00 lacs favouring respondent No.1-wife Samta Jain has already been given to her before the trial Court on 09.02.2022 and prays that this petition may be disposed of directing the trial Court to allow the petitioner to cross-examine PW4 Samta Jain as well as other witnesses, if any, to be produced by the respondent-wife.

In view of the aforesaid order dated 07.02.2022, services of the respondents is dispensed with at this stage and this petition is disposed of with a direction to the trial Court to continue with the proceedings, as if the order dated 06.07.2021, treating the cross-examination of respondent No.1-wife Samta Jain, is not in existence.

**[ARVIND SINGH SANGWAN]
JUDGE**

10.02.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No