

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

**COCP-1846-2017 (O&M)
Date of decision: 17.01.2023**

Neeraj Sharma

...Petitioner

Versus

Neetu Sharma

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rahul Vohra, Advocate for
Mr. Aditya Jain, Advocate
for the petitioner.

Mr. Amandeep Sharma, Advocate for
Mr. A.S. Manaise, Advocate
for the respondent.

ARVIND SINGH SANGWAN, J.

The petitioner alleges violation of the order dated 03.05.2017, vide which a settlement/agreement was arrived at between the parties that they will part away by way of filing a divorce petition under Section 13-B of Hindu Marriage Act.

One of the condition in the settlement/agreement was that minor children aged about 12 years and 06 years will be residing with the respondent-wife and all the pending litigations will be withdrawn by the parties.

Learned counsel for the petitioner submits that after filing of the petition under Section 13-B of Hindu Marriage Act, at the second motion stage, the respondent-wife has refused to make the statement.

Learned counsel for the respondent submits that the petitioner-husband is not paying any maintenance towards two minor children, who are being taken care of by the respondent-mother, therefore, she has every reason not to make statement at the second motion stage.

Accordingly, no willful disobedience is made out.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

17.01.2023
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No