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

FAO No. 607 of 2021

Date of Decision: 06.09.2023

Vijay

-Appellant

Versus

Komal @ Sarjo

-Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Vikram Rana, Advocate, for
Mr. S.S. Bairagi, Advocate,
for the appellant.

RAJ MOHAN SINGH, J. (Oral)

On 17.07.2023, following order was passed:-

“Perusal of the record shows that on 16.07.2021 learned counsel for the appellant sought time to get instructions as to what permanent alimony, the appellant is ready to give to the respondent- wife, as the petition for divorce was dismissed, where the respondent wife was ex-parte. The ex-parte evidence led by the appellant was considered not appropriate to grant ex-parte divorce by the Family court, Karnal. Thereafter, the case was adjourned at the

instance of learned counsel for the appellant to seek instructions on 13.08.2021 and on 06.09.2021. On 12.10.2021, none appeared on behalf of the appellant and in the interest of justice the case was further adjourned to 10.11.2021. From 10.11.2021 the case was adjourned in routine to 10.02.2022 and thereafter to 26.09.2022. On 06.12.2022 both the parties were directed to be present in the Court on 05.01.2023. On the adjourned date, none appeared on behalf of the appellant nor were the parties present in compliance of order dated 06.12.2022. In the interest of justice, the case was adjourned and the parties were again directed to remain present in the Court. The case was adjourned in routine and ultimately on 29.03.2023 the parties were again directed to be present in Court by giving one more opportunity. Today, there was no representation on behalf of the appellant on the first call and even on second call there is no representation. Parties are also not present in the Court in compliance of orders passed on different dates. Though there is no

ground to adjourn this case further but in the interest of justice one last opportunity is granted to learned counsel for the parties to appear on the next date of hearing and also summon their parties to attend the Court proceedings, failing which this case shall be dismissed for non-prosecution.

In the interest of justice, adjourned to 06.09.2023.”

Today, in the very beginning, learned counsel for the appellant seeks to withdraw the present appeal.

Dismissed as withdrawn.

**(RAJ MOHAN SINGH)
JUDGE**

**(HARPREET SINGH BRAR)
JUDGE**

06.09.2023
Jyoti Sharma

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