

105

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

CM No. 18189-CII of 2019 in/and
FAO-M No. 174 of 2019
Date of Decision: 09.08.2023

Jaswinder Singh

-Appellant

Versus

Sukhjit Kaur @ Harpreet Kaur

-Respondent

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

Present: None.

RAJ MOHAN SINGH, J. (Oral)

There is no representation on behalf of the appellant
despite a pass over.

On 17.01.2020, following order was passed:-

*“Learned counsel submits that parties
intend to dissolve the marriage by invoking
section 13-B of the Act. A query has been put to
him whether any purpose would be served by
restoration of the present appeal. Besides,
appeal was filed after huge delay of 1169 days.
He prays for some time to address the court.*

Adjourned to 14.02.2020.”

**CM No. 18189-CII of 2019 in/and
FAO-M No. 174 of 2019**

-2-

Admittedly the appeal was filed after a huge delay of 1169 days. The case was dismissed for non-prosecution on 27.11.2019 and the same was restored vide order dated 29.07.2022. Thereafter, learned counsel for the appellant did not appear on 04.11.2022, 21.12.2022 and 14.03.2023 i.e. the date on which it was made clear that in the event of non-appearance on behalf of the appellant, the case shall be automatically dismissed for non-prosecution. Even thereafter, one more opportunity was granted to learned counsel for the appellant on 24.05.2023, but none has appeared in the present case so far.

Faced with the situation, this Court has no alternative, but to dismiss the case for non-prosecution.

Dismissed for non-prosecution.

**(RAJ MOHAN SINGH)
JUDGE**

**(HARPREET SINGH BRAR)
JUDGE**

09.08.2023
Jyoti Sharma

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