

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

[FAO-M-242-2015](#) (O&M) with
CM-21235-CII-2019
Date of decision: 06.07.2023

Radhey ShamAppellant
Versus

Vandana ...Respondent

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

Present: Mr. C.L. Sharma, Advocate
for the appellant.

Mr. L.S. Sidhu, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (ORAL)

Vide order dated 19.04.2018 an application under Section 24 of the Hindu Marriage Act was allowed and a sum of Rs.12,000/- per month was ordered to be paid by the appellant to the respondent/wife as maintenance *pendente lite* with effect from May, 2016. Litigation expenses to the tune of Rs.50,000/- were also awarded in favour of the respondent/wife. Minor child is still in custody of the respondent/wife.

The aforesaid award of maintenance was subjected to adjustment in terms of the award if any, passed under the Protection of Women from Domestic Violence Act. The payment of entire arrears of maintenance *pendente lite* and litigation expenses was to be made thereafter by the appellant as per calculation chart

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available on record which is part of CM No. 12093-CII of 2021 and CM No.21235-CII of 2019. An amount of Rs.11,52,000/- was due. Out of the aforesaid amount, an amount of Rs.4,32,000/- was paid by the appellant and on 25.10.2021 the balance amount was Rs.7,20,000/-. For the subsequent period, the aforesaid amount has further been swallowed and the appellant has not made any payment of balance maintenance till date.

Learned counsel for the appellant pleads no instructions.

Evidently, the appellant is trying to circumvent the process of law.

Since the learned counsel for the appellant has no instructions from the appellant despite numerous efforts made by his office to contact him, therefore, we have no alternative but to dismiss this appeal for non-prosecution.

Ordered accordingly.

(RAJ MOHAN SINGH)
JUDGE

(HARPREET SINGH BRAR)
JUDGE

06.07.2023

Neha

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