

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

**FAO-M-399-2016 (O&M)  
Date of Decision: March 02, 2023**

**Harish Kumar**

..... Appellant

**Versus**

**Gupreet Kaur**

..... Respondent

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL  
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Sunny Piplani, Advocate for  
Ms. Payel Mehta, Advocate

Mr. Vishal Pundir, Advocate for the respondent.

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**LISA GILL, J.**

This appeal has been filed by the appellant – husband challenging judgment and decree dated 26.05.2016 passed by the learned Additional District Judge, Chandigarh whereby his petition under Section 13 of the Hindu Marriage Act, 1955 has been dismissed.

It is noticed that this appeal was earlier dismissed for non prosecution on 27.03.2019 and thereafter restored on 21.05.2019. It was further ordered on 21.05.2019 that remaining amount of maintenance pendente lite, if any, be deposited by the appellant. Thereafter, none had appeared on behalf of the parties. It was directed on the last date of hearing that learned counsel for the parties be notified of the date fixed.

Mr. Sunny Piplani, Advocate appearing on behalf of Ms. Payel Mehta, Advocate submits that the appellant had taken away the file after 21.05.2019 and the counsel had also issued no objection to the appellant for engaging any other lawyer.

Keeping in view the facts and circumstances as above, it appears that appellant is not interested in pursuing the matter any longer.

Appeal is, accordingly, dismissed for non prosecution.

Needless to say, respondent is at liberty to recover arrears of maintenance, if any, in accordance with law.

Copy of this order be conveyed at the given address of the appellant.

**(LISA GILL)**  
**JUDGE**

**(RITU TAGORE)**  
**JUDGE**

**March 02, 2023**

rts

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No