

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-18664-CII-2017 in/and
FAO-5705-2017 (O&M)
Date of Decision: February 23, 2023

DES RAJ

..... Appellant

Versus

SAROJ BALA

..... Respondent

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

Present: Mr. S.K. Chaudhary, Advocate for the appellant.

Mr. Dhawaljeet Dutta, Advocate for the respondent.

LISA GILL, J.

This appeal has been filed by the appellant – husband challenging judgment and decree dated 28.04.2017 passed by the learned District Judge, Pathankot whereby petition under Section 13 of the Hindu Marriage Act, 1955 filed by him has been dismissed.

There is delay of 37 days in filing of this appeal.

Notice in the application seeking condonation of delay in filing the appeal had been issued on 06.09.2017.

Learned counsel for the applicant-appellant on 31.08.2022 had stated that appellant was not in touch with him since the last two years. Notice had been issued to the applicant-appellant as well as to the respondent for today.

Despite the appellant being duly served he is neither present in Court himself nor has his counsel been given any instructions. Mr.S.K. Chaudhary, Advocate reiterates that he does not have any instructions in this matter. It appears that the appellant is not interested in pursuing the matter any longer.

In the given facts and circumstances, this appeal is dismissed for non-prosecution.

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

**(LISA GILL)
JUDGE**

**(RITU TAGORE)
JUDGE**

February 23, 2023

rts

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No