

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

**CM-21057-CII-2019 in/and
FAO-5152-2018**

Date of Decision:-16.10.2023

Satish Chander Mago

.....Appellant

Vs

Rajni Mago

....Respondent

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

Present: Mr. Suveer Chaudhary, Advocate for
Mr. Rahul Deswal, Advocate
for the applicant/appellant.

Mr. S.S. Sandhu, Advocate for the respondent.

RAJ MOHAN SINGH, J. (Oral)

CM-21057-CII-2019

On 06.07.2023, following order was passed by this
Court:-

“The appellant has already died on 05.07.2020. The appellant had two daughters from his previous marriage. Respondent had one son from her previous marriage and that son has been legally adopted by the appellant. The issue regarding divorce being personal with the parties may abate with the death of the appellant, but counsel for the appellant submits that the daughters of the appellant from previous marriage are living abroad and in order to settle the dispute as a whole, by one stroke, one adjournment be given so as to explore the possibility of amicable resolution of the dispute in order to avoid any future litigation between the legal heirs of both the parties.

Adjourned to 28.09.2023.”

Today, learned counsel for the applicant-appellant seeks to withdraw the main appeal on the premise that after the demise of the appellant-husband, this appeal has become infructuous, as the petition under Section 13 of the Hindu Marriage Act, 1955 was dismissed by the Family Court on 07.05.2018.

Learned counsel for the respondent admits the aforesaid factual position.

In view of the above, the main appeal is taken up on board today.

Application stands disposed of.

FAO-5152-2018

In view of the above, present appeal is dismissed as withdrawn.

**(RAJ MOHAN SINGH)
JUDGE**

**(HARPREET SINGH BRAR)
JUDGE**

16.10.2023
Anjal

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