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2024 : PHHC : 018804
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-357-2020 (O&M)
DATE OF DECISION : 09.02.2024

SUNIL

... PETITIONER

V/S

MEENU AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: None for the petitioner.

* * *

HARPREET KAUR JEEWAN, J. (ORAL)

1. The challenge in the present revision petition is to the order dated 29.01.2020 passed by the learned Family Court, Sirsa whereby the petitioner was directed to pay maintenance to his wife and minor children -respondents.

2. As per the order dated March 01, 2021 passed by the Co-ordinate Bench, the recovery beyond Rs. 15,000/- p.m. was ordered to be stayed. Thereafter, the respondents filed an application for vacation of stay order on the ground of non-compliance on the part of the petitioner. The order of stay was vacated as per order dated 18.08.2021 on the ground that despite ample opportunities were given to the petitioner to clear the arrears but he has expressed his inability to comply with the same and the following order was passed :-

“The instant application has been filed under Section 482 Cr.P.C. for vacation of stay order as there has been non-compliance of the order dated 01.03.2021 by the petitioner, wherein, the petitioner had been directed to clear all the arrears on or before the next date of hearing.

Despite ample opportunity having been given to the petitioner, the arrears towards the non-applicant/petitioner still stand pending. Learned counsel appearing for the non-applicant/petitioner submits that the orders of this Court had been conveyed to the petitioner, however, he expressed his inability to comply with the same on account of his financial incapacity.

In the circumstances, the application is allowed and the order dated 01.03.2021 granted by this Court, stands vacated."

3. On 13.07.2023, there was no representation on behalf of the petitioner. Even today, there is no representation on behalf of the petitioner.

4. In view of the aforesaid circumstances, it appears that the petitioner is not interested to pursue with the present petition. As such, the same is dismissed for non-prosecution.

09.02.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No