

Sr.No.243

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

COCp-1928-2014(O&M)

Decided on: 21.08.2015

Varinder SinghPetitioner

vs.

MeenakshiRespondent

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr. Jai Vir Yadav, Advocate for the petitioner.

Mr. Rose Gupta, Advocate for respondent.

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Mahesh Grover, J

The respondent does not disown the settlement.

The respondent also does not dispute that Clause 6 of the agreement was duly satisfied and she has received the amount and subsequent thereto divorce was also granted by way of mutual consent. She now resiles from the compromise and the obligation cast upon her by virtue of Clause 5 of the settlement which is extracted here-below:-

“That Smt. Meenakshi, party of the IInd Part mentioned above, who has been allotted petrol pump by Indian Oil Corporation, named as Shivalik Filling Station, Sehzaadpur, District Ambala, would execute/sign requisite documents to transfer all her rights in respect of above said petrol pump in favour of Sh.Virender Singh, party of the Ist part or any of his nominee, in whose favour he desires the execution of the document. Smt. Meenakshi has also agreed to extend full corporation to write any letter/NOC to the Indian Oil Corporation or any other

authority or Court to facilitate the transfer of all rights, interest of the aforesaid petrol pump in favour of Virender Singh.”

She is present in Court and has flatly refused to honour that settlement which was arrived at between the parties with the petitioner giving her an amount of ₹75,00,000/- and half share of the plot situated in Silver City Zirakpur. She in turn has also accepted the settlement by making a statement in respect of plea under Section 13-B of the Hindu Marriage Act.

Evidently, the respondent has flouted the compromise and obstructed the course of justice besides having made a false statement before the Court to persuade it to pass an order resulting in a situation which is irrevocable. She has also categorically stated before this Court that she is unwilling to return the amount to the petitioner. The Court thus, finds that it is a clear case where the respondent has committed contempt of Court and holds her guilty of it. Let she be heard on the quantum of sentence.

21.08.2015**(MAHESH GROVER)****mamta****JUDGE****QUANTUM OF SENTENCE**

Present: Convict in person.

Respondent has nothing to say regarding the sentence.

She is sentenced till the rising of the Court.

Petition is disposed of.

The petitioner is at liberty to avail the remedy available to him under law, if any.

21.08.2015**(MAHESH GROVER)****mamta****JUDGE**