

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

FAO-M-313-2011 (O&M)
Date of Decision: 27.8.2015

Kusum Lata ..Appellant

versus

Sanjay ..Respondent

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Sagar Aggarwal, Advocate, for the appellant.

Mr. A.P.Setia, Advocate, for the respondent.

RAJIVE BHALLA, J (ORAL)

The appellant wife has filed this appeal to challenge judgment and decree dated 2.11.2011 dissolving their marriage. The parties were referred to the Mediation and Conciliation Centre where they recorded a settlement dated 9.7.2015. Kusum Lata wife of Sanjay, daughter of Baldev Singh, resident of village Bond Kala, District Bhiwani, the appellant and Sanjay son of Jagdish Chander, resident of 1774/29, Vikas Nagar, Gali No.3, Kakroi Road, Sonipat, the respondent, are present in court with their respective counsel.

Counsel for the parties and the parties state that vide settlement dated 9.7.2015, parties have resolved their differences. The appellant has agreed to withdraw her appeal and accept the judgment and decree dated 2.11.2011 on receipt of Rs.15 lac. The parties have also agreed that the appellant shall assist the

respondent in the quashing of the FIR and shall withdraw the petition filed under the Protection of Women from Domestic Violence Act, 2005. Counsel for the parties also state that a sum of Rs.7.50 lac was paid on the last date of hearing, whereas the balance amount of Rs.7.50 lac is being paid in Court today by way of a demand Draft bearing No.225970 dated 25.8.2015. Counsel for the parties pray that in view of the settlement and receipt of the entire amount, the appeal may be dismissed as withdrawn but by clarifying that the finding regarding cruelty recorded by the trial court against Kusum Lata, shall not be read against her in any other proceedings. Counsel for the parties pray that Civil Misc. Application No.17608-CII of 2015 and FAO -M-313-2011 may be dismissed as withdrawn.

We have heard counsel for the parties, perused the settlement and are satisfied of the bona fides of the settlement. Kusum Lata has received the entire amount of Rs.15 lac. The appeal is dismissed as withdrawn and judgment and decree dated 2.11.2011 passed by Additional District Judge, Fast Track Court, Sonipat, dissolving marriage between Kusum Lata and Sanjay is affirmed. The parties shall be bound by the terms and conditions of the settlement.

Civil Misc. Application No.17608-CII of 2015 and FAO -M-313-2011 are dismissed as withdrawn.

(RAJIVE BHALLA)
JUDGE

(NAVITA SINGH)
JUDGE

27.8.2015

VK