

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

**FAO No.4204 of 2012 (O&M)
Date of Decision: 09.12.2015**

Shivani Nagrath

.....Appellant

Versus

Nipun Suri

....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. S.K.Pipat, Sr. Advocate with
Mr. Manoj Pundir, Advocate for the appellant.

Mr. U.K.Shandilya, Advocate for the respondent.

RAJIVE BHALLA, J (ORAL)

The appellant, challenges order dated 27.04.2012 passed by the District Judge, Family Court, Gurgaon, granting permanent alimony of Rs.5,000/-, by asserting that this amount is wholly inadequate.

The matter came up for consideration in the pre-lunch session. Counsel for the parties and the parties represented through their respective fathers namely Sh.A.P.Nagrath and Sh.S.K.Suri, stated that they have received instructions from the parties to make an attempt to resolve the matter.

The appeal has been taken up in the post lunch session. Counsel for the parties state that they have instructions from the parties to state that parties have decided to resolve the dispute in the following terms:-

1. Order dated 27.04.2012, passed by the District Judge, Family Court, Gurgaon, shall stand modified in the following terms:-
 - (a) Nipun Suri, the respondent shall pay Rs.33 lacs as full and final settlement of all claims of permanent alimony, maintenance past, present and future or any claim arising from the marriage including any future claim of permanent alimony or maintenance.
 - (b) Rs.20 lacs shall be paid by a demand draft, drawn in the name of Shivani Nagrath, on or before 08.01.2016. The remaining amount of Rs.13 lacs shall be paid by a demand draft, drawn in the name of Shivani Nagrath, on or before 08.04.2016.
2. The parties have agreed that they would not initiate any further litigation with respect to permanent alimony, maintenance past, present or future and/or with respect to any matter arising from the matrimonial relationship which has already been brought to an end by grant of decree of nullity. It is also agreed that both parties shall withdraw

any complaint whether judicial/quasi-judicial or administrative filed by either party against the other party or their family members/relatives.

3. Counsel for the parties state that the settlement has been arrived after due consultation with and obtaining instructions from Shivani Nagrath and Nipun Suri.

Counsel for the parties pray that the appeal may be decided in terms of the settlement.

We have heard counsel for the parties and are satisfied that parties have, with the able assistance of their counsel, resolved their dispute. The appeal is, therefore, partly allowed, order dated 27.04.2012, passed by the District Judge, Family Court, Gurgaon, is modified by deleting the amount of permanent alimony of Rs.5,000/- per month and substituting it with the terms and conditions of the settlement, recorded above.

[RAJIVE BHALLA]
JUDGE

09.12.2015
Vinay

[REKHA MITTAL]
JUDGE