

In the High Court of Punjab and Haryana at Chandigarh

FAO-M-310 of 2012(O&M)

Date of Decision: 30.9.2015

Inderjit Kaur

---Appellant

versus

Mukesh Kumar

---Respondent

**Coram: Hon'ble Mr. Justice Rajive Bhalla
Hon'ble Mrs. Justice Rekha Mittal**

**Present: Mr. Harmanpreet Kaur, Advocate
for the appellant**

**Mr. Vijay Sharma, Advocate
for the respondent**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rajive Bhalla, J.

The appellant-wife challenges judgment and decree dated 29.9.2012 passed by the Additional District Judge, Fast Track Court, Patiala dissolving her marriage with the respondent.

During pendency of the appeal, the following order was passed on 21.7.2015:-

“CM No. 1517-CII of 2014

A sum of Rs.30,000/- towards arrears of maintenance till month of June, 2015 was tendered by the

appellant to the counsel for the respondent, who received the same.

The application has become infructuous. The same is disposed of accordingly.

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Both the parties with their counsel are present.

Counsel appearing on either side having interacted with their clients informed the Court that the appellant is prepared to withdraw the appeal, if respondent-husband pays a sum of Rs. 8 lacs towards permanent alimony. They have also agreed that the said amount fixed by the parties will be paid by the respondent to the appellant within a period of two months.

Counsel appearing for the respondent prays that the matter may be posted on 30.9.2015 for bringing the draft on that day.

Post the matter on 30.9.2015.”

Counsel for the respondent, duly instructed by the respondent -Mukesh Kumar, who is present in Court, states that he is ready to pay ₹8,00,000/- to the appellant as permanent alimony if she withdraws the appeal, accepts correctness of the impugned judgment and decree and withdraws her petitions filed under Sections 125 and 128 of the Code of Criminal Procedure (for short-”Cr.P.C.”).

Counsel for the appellant states, on instructions from Inderjit Kaur- appellant, who is present in Court, that she has received a demand draft of ₹8,00,000/- in Court today towards arrears of maintenance and permanent alimony. Inderjit Kaur also states that she shall not claim any further maintenance past, present or future and withdraw the petitions filed under Sections 125 and 128 Cr.P.C. She also states that she has not been left with any claim against the respondent relating to arrears of

maintenance, permanent alimony or otherwise that may arise from their marriage.

In view of statements made by counsel for the parties, particularly, statement made by Inderjit Kaur - the appellant, the appeal is dismissed as withdrawn.

(Rajive Bhalla)
Judge

(Rekha Mittal)
Judge

30.9.2015

PARAMJIT