

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

FAO-M-75-2012 (O&M)
Date of decision :April 09, 2015

Pardeep Singh

.....Appellant

Versus

Pardeep Kaur @ Komal

.....Respondent

**CORAM : HON'BLE MR.JUSTICE M. JEYAPPAUL
HON'BLE MR.JUSTICE GURMIT RAM**

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

Present : Mr. P.K.S. Phoolka, Advocate,
for the appellant.

Mr. Manoj Tanwar, Advocate,
for the respondent.

M. JEYAPPAUL, J. (Oral)

CM-24263-CII-2014

The main appeal stands admitted by this Court. The parties have in fact settled their matrimonial dispute before the Mediation and Conciliation Centre of this Court. They have also proposed to convert the petition originally filed under Section 13 of the Hindu Marriage Act, 1955 into one under Section 13-B of the Hindu Marriage Act, 1955.

In view of the above development in this case, the main appeal

is advanced to this date for hearing.

Application is allowed.

CM-24587-CII-2014

Though the above application has not been listed for hearing, today the counsel appearing on either side would submit that the above application may be disposed of, as the main appeal itself has been advanced to this date for hearing.

Heard the submissions made by either side.

It is an admitted position that the matter sent to the Mediation and Conciliation Centre stands amicably settled. They have also filed the present application for converting the petition originally filed under Section 13 of the Hindu Marriage Act, 1955 into one under Section 13-B of the Hindu Marriage Act, 1955.

In view of the fact that the matrimonial dispute between the parties was amicably settled between them and they have chosen to convert the petition into one under Section 13-B of the Hindu Marriage Act, 1955 to enable them to get a decree of divorce by dissolution of marriage by mutual consent, we are inclined to allow the instant application. Accordingly the application is allowed.

FAO-75-2012

Heard the submissions made by either side.

Both the parties have amicably settled their matrimonial dispute before the Mediation and Conciliation Centre. They in fact filed the petition for converting the petition originally filed under Section 13 of the Hindu

Marriage Act, 1955 into one under Section 13-B of the Hindu Marriage Act, 1955, which was allowed.

Therefore, we are directing the trial Court to convert the original petition filed by the husband-Pardeep Singh into one under Section 13-B of the Hindu Marriage Act, 1955. The matter stands remanded to the trial Court to dispose of the main petition by converting it as per above the directions of this Court in accordance with law.

Both the parties shall appear before the trial Court on 11.05.2015.

Appeal stands disposed of accordingly.

CM-2384-CII-2015

In view of the fact that we have remanded the matter after converting the original petition filed under Section 13 of the Hindu Marriage Act, 1955 into one under Section 13-B of the Hindu Marriage Act, 1955, giving liberty to the parties concerned to move such an application before the trial Court, the above application stands disposed of.

(M. JEYAPPAUL)
JUDGE

(GURMIT RAM)
JUDGE

April 09, 2015
Gaurav Sorot