

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

FAO-M-172 of 2013 (O & M)
Date of Decision : 20.5.2015

Sahib Singh

....Appellant

Versus

Hardeep Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present : Mr. R.S. Bains, Advocate, for the appellant
Mr. Karamjit Singh, Advocate, for the respondent

M. JEYAPPAUL, J.

CM No. 10601-CII of 2015 and
CM No. 10602-CII of 2015 :

The parties have compromised the matrimonial dispute which arose between them. In the aftermath of the compromise, they have now filed a petition under Section 13B of the Hindu Marriage Act, 1955 (in short 'the Act'). They have also sought to convert the petition already filed under Section 13 of the Act into one under Section 13B of the Act.

We have already recorded the fact that a sum of ₹ 2,50,000/-in the shape of a bank draft was handed over to the respondent by the appellant in terms of the compromise arrived at between the parties. As both the parties have amicably settled the matrimonial dispute and have come forward jointly with the petition under Section 13B of the Act, we are inclined to convert the petition under section 13 of the Act into one under Section 13B of the Act. Consequently, the petition under Section 13B of the

Act is taken on file.

Both applications are ordered accordingly.

FAO-M-172 of 2013 :

Both the parties have jointly filed petition under Section 13B of the Act. In fact, the petition originally filed under section 13 of the Act was converted by this Court as per the order of even date passed in CM No. 10601-CII of 2015 into one under Section 13B of the Act.

Accordingly, the judgment passed by the trial Court is hereby set aside and the matter is remanded to the trial Court/District Judge for fresh disposal, in the aftermath of conversion of the original petition under Section 13 of the Act into one under Section 13B of the Act, in accordance with law.

Both the parties shall appear for first motion before the trial Court/District Judge on 3.6.2015.

The appeal stands disposed of accordingly.

(M. JEYAPPAUL)
JUDGE

(RAJ RAHUL GARG)
JUDGE

20.5.2015
Ashwani