

IN THE PUNJAB & HARYANA HIGH COURT AT
CHANDIGARH

FAO-M-414-2013(O&M)
Date of decision : 14.10.2015

Mrs.Dimple

... Appellant

Versus

Deepak Setia

... Respondent

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

Present: Mr.P.S.Bawa, Advocate
for the appellant.

Mr.R.S.Madan, Advocate
for the respondent.

RAJIVE BHALLA, J.(ORAL)

CM-21652-CII-2015

Counsel for the appellant states that the application may
be disposed of as infructuous.

Disposed of as infructuous.

FAO-M-414-2013

The appellant challenges judgment and decree dated
26.09.2013, passed by the Additional Civil Judge (Senior Division),
Palwal, dissolving the marriage of the parties by grant of decree of
divorce by mutual consent.

After the judgment dissolving their marriage, parties and
their relatives were once again embroiled in litigation, but during
pendency of this appeal and with able assistance of their counsel,

better sense has prevailed and parties have resolved their differences. In furtherance of the settlement, both parties have filed separate affidavits, in Court today, which are taken on record. The affidavit filed by Ms. Dimple is assigned Mark A whereas the affidavit filed by Deepak Setia is assigned Mark B.

Ms.Dimple and Deepak Setia are present in Court along with their counsel, acknowledge the correctness of their affidavits as well as their signatures appended on their respective affidavits and state that they have sworn the affidavits after reading the contents of the affidavits.

Counsel for the parties pray that in view of a resolution of all pending disputes and the affidavits filed by the parties, the appeal may be dismissed as withdrawn in terms of the conditions settled between the parties namely:-

- a) the appellant shall be bound to withdraw all litigation initiated by her or by her relatives against the respondent or his relatives.
- b) the appellant shall be bound to assist in quashing of any criminal litigation initiated by her or by her relatives against the respondent or his relatives.
- c) the respondent shall withdraw any litigation initiated by him or his relative against the

appellant or her relatives.

d) the respondent shall assist in quashing of any litigation initiated by him or his relatives against the appellant or her relatives.

e) the respondent shall prepare a fixed deposit receipt of ₹ 5 lacs in the name of his daughter Ms.Vaishali under the guardianship of Smt.Dimple and hand it over to her within one month from today. The amount of ₹ 5 lacs shall be in addition in the sum of ₹35 lacs already paid and received by Smt. Dimple.

f) the appellant shall prepare a fixed deposit receipt of ₹7 lacs in the name of Ms.Vaishali the minor daughter of the parties valid for a period of five years.

g) in case a situation so arises where Vaishali is no longer in the guardianship of the appellant, the respondent would be entitled to seek her guardianship in accordance with law.

i) the parties have also agreed that the appellant shall have no objection if the respondent visits Vaishali at her school.

j) the parties also agree that neither party shall

file any suit, petition, complaint whether administrative legal or otherwise against each other and the present settlement brings a final end of their relationship including the right of the appellant to claim maintenance past, present or future or permanent alimony.

We have heard counsel for the parties, perused the affidavits and contents of the settlement and while dismissing the appeal as withdrawn affirm judgment and decree dated 26.09.2013 passed by the Additional Civil Judge (Senior Division), Palwal.

Parties shall be bound by the terms and conditions of the settlement.

(RAJIVE BHALLA)
JUDGE

(REKHA MITTAL)
JUDGE

October 14, 2015.

Davinder Kumar