

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

**FAO No.M-386 of 2014 (O&M)
Date of decision: 23.07.2015.**

Jatin Dawar

.....Appellant

versus

Kashish @ Goldy

.... Respondent

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

Present: Mr. G.S.Sandhu, Advocate for the appellant.

Mr. Umesh Kumar Saini, Advocate for the respondent.

M. JEYAPPAUL, J.

Aggrieved by the dismissal of joint petition filed by the appellant and the respondent under Section 13-B of the Hindu Marriage Act, 1955, the husband has preferred the present appeal.

Both the parties were present before the trial Court. During the first motion, a sum of ₹6,00,000/- out of ₹10,00,000/- agreed between the parties was parted with by the appellant but when the matter was taken up during second motion, the respondent-wife backed out of the compromise and as a result of which, the joint petition filed under Section 13-B of the Hindu Marriage Act, 1955 was dismissed.

Finding that there was some scope for settlement of matrimonial dispute between the parties, we referred the matter to the Mediation and Conciliation Centre where both the parties amicably settled their dispute.

In the above background, learned counsel appearing on either side, on instructions from the respective parties who were also present in the Court, submitted that the matter may be remanded to the trial Court, facilitating both the parties to appear during second motion and get a decree of divorce by mutual consent.

As both the parties have resolved their matrimonial dispute, the judgment dated 01.08.2014 passed by the trial Court under Section 13-B of the Hindu Marriage Act, 1955 is set aside and both the parties are directed to appear for second motion on 12.08.2015 before the trial Court. The trial Court shall then pass a judgment afresh after appearance of both the parties during second motion in accordance with law.

The appeal is disposed of accordingly.

(M. JEYAPPAUL)
JUDGE

23.07.2015
Manoj Bhutani

(RAJ RAHUL GARG)
JUDGE