

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

**FAO No.M-112 OF 2015
Date of Order: 06.11.2015**

Sandeep Rani

...Appellant

Versus

Ashok Kumar

.. .Respondent

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

**Present: Mr. C.B.Goel, Advocate,
for the appellant.
Mr. Suryakant Gautam, Advocate,
for the respondent.**

RAJIVE BHALLA, J (Oral)

The appellant-wife challenges order dated 19.01.2015, passed by the District Judge, Rohtak, decreeing a petition, filed by the respondent-husband, under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights.

During pendency of proceedings, parties resolved their differences and have decided to reside together as husband and wife. Puran Mal son of Budh Ram, father of the respondent-husband, has made a statement that he would transfer half share of the house measuring 70 square yards in favour of his son Ashok Kumar and remaining half share in the name of his grand children Harshit and Vanshika under the guardianship of their mother Sandeep Rani. The statements recorded by the parties and by Puran Mal son of Budh Ram read as follows:-

STATEMENT OF PURAN MAL SON OF BUDH RAM, RESIDENT OF HOUSE NO.200/35, AGGARSAIN COLONY, NAYA PARAO, ROHTAK:

“My son and my daughter-in-law have resolved their differences. I shall transfer half share of the hosue measuring 70 square yards in favour of my son Ashok Kumar and remaining half share in the name of my grand children Harshit and Vanshika under guardianship of their mother Sandeep Rani.”

STATEMENT OF SANDEEP RANI WIFE OF ASHOK KUMAR, DAUGHTER OF OM PARKASH, RESIDENT OF HOUSE NO.122-A, JAIN GALI, WARD NO.3, JAKHAL, TEHSIL TOHANA, DISTRICT FATEHABAD.

“ I am ready to resume my marital life with Ashok Kumar provided my and my children’s future interest is secured. I shall assist in quashing FIR registered by me against Ashok Kumar and his family members.”

STATEMENT OF ASHOK KUMAR SON OF PURAN MAL, RESIDENT OF HOUSE NO.200/35, AGGARSAIN COLONY, NAYA PARAO, ROHTAK.

“I shall accompany Sandeep Rani from this Court to her parental house. After collecting our children, we will proceed to our house in Rohtak (70 square yards house). I shall treat Sandeep Rani with due dignity and shall ensure that she and our children are comfortable in the matrimonial home.”

Counsel for the parties state that in view of the statements made by the parties, the appeal may be disposed of as infructuous.

We have heard counsel for the parties, perused the statements and while disposing of the appeal as infructuous, direct that parties shall be bound by their statements. Puran Mal shall transfer half share of his house measuring 70 square yards, in the

name of his son Ashok Kumar and remaining half share in the name of his grand children Harshit and Vanshika, under guardianship of their mother Sandeep Rani. Ms. Sandeep Rani shall assist in quashing of the FIR registered by her against her husband Ashok Kumar and his family members.

(RAJIVE BHALLA)
JUDGE

November 06, 2015
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(REKHA MITTAL)
JUDGE