

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

**FAO No.M-36 of 2015
Date of Order: 02.09.2015**

Gautam Verma

..Appellant

Versus

Anju Verma,

..Respondent

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE HARI PAL VERMA**

**Present: Mr. Parvinder Singh, Advocate,
for the appellant.**

**Mr. T.S.Gill, Advocate,
for the respondent.**

RAJIVE BHALLA, J (Oral)

The appellant-Gautam Verma, has filed this appeal, challenging judgment and decree dated 14.10.2014, passed by the Additional District Judge, SAS Nagar, Mohali, granting a decree of divorce.

Gaurtam Verma, the appellant and Anju Verma, the respondent, are present in Court, duly identified by their respective counsel.

Counsel for the parties as well as the parties pray that as parties have resolved their differences and are filing separate affidavits, dated 02.09.2015, in Court, which are Mark-A and Mark-B, respectively, the appeal may be dismissed as withdrawn in terms of

the respective affidavits of the parties.

We have heard counsel for the parties as well as the parties and perused the affidavits Mark-A & B.

A petition for grant of a divorce, filed by the respondent, was decreed by the Additional Sessions Judge, SAS Nagar, Mohali, on 14.10.2014. During pendency of the appeal and with the able assistance of their counsel, parties have resolved their differences and filed separate affidavits, reflecting a settlement. The broad agreement between the parties is that the appellant husband shall withdraw his appeal, accept the correctness of judgment and decree dated 14.10.2014, guardianship and custody of the child shall remain with and vest in the respondent wife and the appellant shall be granted visitation rights. A relevant extract from the affidavit filed by Gautam Verma, reads as follows:-

- “1. That the deponent has no objection if the decree of divorce dated 14.10.2014 passed by the learned Additional District Judge, Mohali in the case titled as Anju Verma Versus Gautam Verma is upheld in view of the separate affidavit submitted by Smt. Anju Verma (Respondent) in this Hon'ble Court and thus withdraws the present appeal.*
- 2. That the deponent undertakes that he will pay Rs.3000/- to his minor son namely Daksh Verma in his account no.65200809497 in the State Bank of Patiala, High Court Branch, Chandigarh, who is staying with the respondent, the said amount will be*

deposited in his account 1st Week of every month, however, the visiting right of the deponent will be as per the decision of the Court i.e. on 1st Saturday of every month at the place decided by the Hon'ble High Court.

3. *That the deponent further undertakes to abide by any directions given by this Hon'ble Court while finally deciding the present appeal."*

A relevant extract from the affidavit filed by Anju Verma, reads as follows:-

- "1. *That the deponent has no objection if the cases pending before the lower court be quashed and if any statement from my side is required at any court of law the deponent will mark her presence and record her statement.*
2. *That the deponent has no objection if the visiting rights be given to the petitioner-Gautam Verma on any date, time and place fixed by this Hon'ble Court.*
3. *That in view of the affidavit given by the petitioner-Gautam Verma, the deponent is ready to adhere by the contents of this affidavit."*

A perusal of the affidavits reveal that the appellant has agreed that custody and guardianship of the minor shall vest in the respondent-Anju Verma. The appellant shall be entitled to visit the child on the first Saturday of every month from 2.00 PM to 4.00 PM,

under the direct supervision of the Secretary, Legal Services Authority, Sector-43, Chandigarh. The appellant shall, as agreed, deposit Rs.3,000/- (Three Thousand) every month, in the minor's bank account No.65200809497, maintained in the State Bank of Patiala, High Court Branch, Chandigarh, till he attains majority.

In view of the affidavits, statements made by the parties and prayer made by their respective counsel, the appeal is dismissed as withdrawn. The judgment and decree dated 14.10.2014, passed by the Additional District Judge, SAS Nagar, Mohali, is affirmed.

In case the parties require any other documents, letters, affidavits etc. from each other, both parties undertake that they shall provide the documents, letters, affidavits etc. to each other.

In case of parties violating terms and conditions of their affidavits or this order, parties would be at liberty to approach this Court by an appropriate applications.

(RAJIVE BHALLA)
JUDGE

September 02, 2015
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(HARI PAL VERMA)
JUDGE