

**CM-23012-CII-2015 in/and
FAO-1456 of 2015
Date of decision: January 27, 2016**

Versus

Jasbir Singh Randhawa **...Respondent**

Mr. Mohit Jaggi, Advocate
for the respondent.

RAJIVE BHALLA, J.(ORAL)

The appellant, Ms. Honey Randhawa, wife of Jasbir Singh Randhawa, is before us challenging judgment and decree dated 23rd December, 2014, recorded by the District Judge, Family Court, Gurgaon, dissolving her marriage with Jasbir Singh Randhawa.

The appellant and the respondent are present in person and have been duly identified by their respective counsel. The parties have, with the able assistance of their counsel agreed that the appellant shall withdraw the appeal, accept the judgment and decree of divorce subject, however, to certain conditions for which the parties have recorded separate statements.

The statement made by Ms. Honey Randhawa reads as follows:

I have considered the entire controversy and make a statement, fully conscious of my rights withdrawing the appeal thereby accepting judgment and decree of divorce dated 23rd December, 2014 passed by the District Judge, Family Court, Gurgaon. I shall ensure that our daughters, namely, Kirat Randhawa and Simrat Randhawa, make a statement in CRR-2783 of 2014 and 2767 of 2014 relinquishing rights conferred by orders dated 6th January, 2014 and 16th May, 2014 and the petition filed under Protection of Women from Domestic Violence Act, 2005 is dismissed. Jasbir Singh, however, shall withdraw his petition under Section 25 of the Hindu Marriage Act pending before Family Court, Gurgaon, application under Order 39, Rule 2A of the CPC pending before Civil Judge (Junior Division), Gurgaon. I shall return all certificates, documents belonging to the respondent, if any, in my possession. I shall withdraw any other complaint official or legal pending before any authority or Court against Jasbir Randhawa and shall not maintain any petition/suit for maintenance, permanent alimony past, present or future at any time.

The statement made by Mr. Jasbir Singh Randhawa reads as follows:

I have heard the statement made by Mrs. Honey Randhawa and accept the same. I shall withdraw all suits, petitions, applications initiated by me against Honey Randhawa particularly the petition filed by me under Section 25 of Hindu Marriage Act pending before the Family Court, Gurgaon and application under Order 39, Rule 2A of CPC pending before the Civil Judge(Junior Division), Gurgaon and will withdraw CRR-2783 of 2014 and 2767 of 2014 as and when our daughters, namely, Kirat Randhawa and Simrat Randhawa make a statement that they relinquish rights conferred by orders impugned therein. I shall return all certificates, documents belonging to the petitioner, if any, in my possession. I have no objection to the transfer of the registration certificate regarding Car No.KA-12-4429 in the name of Honey Randhawa.

A perusal of the statements made by the parties reveal that the appellant has agreed to withdraw the appeal, accept the judgment and decree of divorce, agreed to withdraw the execution petition titled as

Honey Randhawa and others vs. Jasbir Singh Randhawa pending in the Court of JMIC, Gurgaon, under the Protection of Women from Domestic Violence Act, 2005 and if possible, return of any documents or certificates belonging to Jasbir Singh Randhawa, that may be in her possession.

Ms. Honey Randhawa has also deposed that she has instructions from her daughters, namely, Kirat Randhawa and Simrat Randhawa that they shall make a statement in *CRR-2783 of 2014* and *CRR-2767-2014* titled as *Jasbir Singh Randhawa vs. Honey Randhawa and others*, relinquishing their rights, under the Protection of Women from Domestic Violence Act, 2005, flowing from orders dated 06.01.2014 and 16.05.2014, passed thereunder.

A perusal of the statement made by Jasbir Singh Randhawa reveals that in view of the statement made by Ms. Honey Randhawa, he has agreed to withdraw, his application under Order 39, Rule 2A of the CPC, pending before the Civil Judge (Junior Division), Gurgaon, the petition filed under Section 25 of the Hindu Marriage Act, pending before the Family Court, Gurgaon, provided Kirat Randhawa and Simrat Randhawa relinquish their rights, conferred by orders which are subject matter of *CRR-2783-2014* and *CRR-2767-2014* and withdraw the revisions. The respondent also states that he shall return certificates/documents belonging to the appellant, if any, in his possession.

As parties have resolved their dispute, the appeal is dismissed as withdrawn, judgment and decree of divorce dated 23rd December, 2014 is affirmed. The parties shall be bound by their

respective statements. In case parties are not in possession of documents/certificates belonging to the other party, they shall forward a communication to the other party within a month. The documents/certificate shall thereafter be deemed to have been lost and the party concerned shall be entitled to obtain certified copies of these documents/certificates, treating them as lost.

**(RAJIVE BHALLA)
JUDGE**

January 27, 2016
m. sharma

**(LISA GILL)
JUDGE**