

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

**FAO-M No.268 of 2015 (O&M)
Date of Decision:04.05.2016**

Dr. Megha Gandhi

.....Appellant

Vs

Dr. Rahul Gandhi

.....Respondent

**CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Ashwani Talwar, Advocate
for the appellant.

Mr. B.R. Gupta, Advocate
for the respondent.

M. JEYAPPAUL, J.(Oral)

Respondent Dr. Rahul Gandhi filed petition under Section 13 of the Hindu Marriage Act (for short 'the Act') against his wife Dr. Megha Gandhi for dissolution of marriage by a decree of divorce invoking the provision under Section 13 of the Act.

Dr. Rahul Gandhi got a decree of divorce as prayed for under Section 13 of the Act. Dr. Megha Gandhi preferred an appeal before this Court challenging the above decree passed in favour of Dr. Rahul Gandhi.

During the pendency of this appeal, both the parties have compromised their matrimonial dispute as per compromise dated 28.10.2015, which has been appended as Annexure A-1. In terms thereof, they filed a joint petition seeking conversion of the original petition filed by the respondent herein into one under Section 13-B of the Act. The said petition was allowed and as a result of which, the petition filed by the respondent under Section 13 of the Act was converted into one under Section 13-B of the Act.

The matter was taken up for first motion. Both the parties individually suffered affidavits to the effect that they have compromised their matrimonial dispute in terms of compromise arrived at between them. It has also been agreed that the daughter by name Pihu Mishra born out of the wedlock shall remain with Dr. Megha Gandhi. In terms of the divorce by mutual consent granted today, Dr. Megha Gandhi shall be called as Megha Mishra.

As both of them suffered affidavits that they have agreed to part ways in terms of the compromise during first motion, we posted the matter after expiry of 6 months. The matter thus was taken up today for the second motion. Both the parties were present. They individually suffered statements in the shape of affidavits reiterating the original stand to part ways

agreeing to take divorce by mutual consent. They have also agreed that their daughter Pihu Mishra shall remain with Dr. Megha Mishra. The entire amount of Rs.18 lacs agreed to be paid by way of two installments, one at the time of first motion and the second one at the time of second motion has already been paid by Dr. Rahul Gandhi to Dr. Megha Mishra. In the light of the statements suffered by them in the shape of affidavits during first motion and second motion voluntarily without any pressure from any quarter as prayed for by them a decree of divorce by mutual consent is granted dissolving the marriage between the parties and the petition under Section 13-B of the Act is allowed. Decree-sheet be prepared in terms thereof.

CMM No.113 of 2015

As the main petition is allowed, the present application stands dismissed as infructuous.

**(M. JEYAPPAUL)
JUDGE**

04.05. 2016
Prince

**(RAJ MOHAN SINGH)
JUDGE**