

FAO-2941-2016
Date of decision : March 17, 2017

Sarita ... Appellant

VERSUS

Manoj Kumar ... Respondent

**CORAM: HON'BLE MR. JUSTICE M.JEYAPPAUL
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present : Mr.B.R.Vohra, Advocate
for the appellant.

Mr. Diwan S.Adlakha, Advocate
for the respondent.

M.JEYAPPAUL, J.(ORAL)

Respondent Manoj Kumar filed a petition under Section 25 read with Section 8 of Guardian and Wards Act, 1890, praying for custody of the minor child Naman born out of the wedlock of the appellant and the respondent. The above petition was allowed by the trial Court. Appellant Sarita who is none other than the wife of Manoj Kumar, has challenged the custody granted to the respondent-husband.

We referred the matter to the Mediation & Conciliation Centre where both the parties appeared and thrashed out all the matrimonial issues including the custody issue arisen between them. They have entered into a compromise dated 13.01.2017 before the Mediation & Conciliation Centre.

Both the parties have agreed to abide by the terms and conditions of the above settlement arrived at between them before the

Mediation & Conciliation Centre on 13.01.2017. Now, the parties in terms of the above settlement have agreed that the minor child Naman shall remain with the appellant herein instead of respondent-husband as ordered by the trial Court.

Counsel appearing on either side submit that the judgment passed by the trial Court granting custody in favour of the respondent be set aside and the appeal be allowed as both the parties have agreed to abide by the terms and conditions of the settlement arrived at between them before the Mediation & Conciliation Centre.

In view thereof, the judgment passed by the trial Court is set aside and the appeal is allowed in terms of the compromise entered into between them.

(M. JEYAPPAUL)
JUDGE

(AUGUSTINE GEORGE MASIH)
JUDGE

March 17, 2017

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Whether Speaking/Reasoned	Yes
Whether Reportable	No