

FAO-M-198-2013 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**FAO-M-198-2013 (O&M).
Decided on: November 1, 2017.**

Surinder Kumar

.. Appellant/petitioner No.1

VERSUS

Geeta Rani

.. Respondent/petitioner No.2

*** * ***

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

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**PRESENT Mr.S.S.Momi, Advocate,
for the appellant/petitioner No.1.**

**Mr.Ashok Kumar Khunger, Advocate,
for the respondent/petitioner No.2.**

M.M.S. BEDI, J. (ORAL)

The joint petition under Section 13-B of the Hindu Marriage Act, 1955, has been filed by the petitioners seeking dissolution of the marriage between them by a decree of divorce by mutual consent.

The marriage between the parties was solemnised on 10.5.1996, at per Hindu rites and customs at village Malekan, District Sirsa. From their wedlock, the parties have been blessed with two children namely Chahat and Anmol. Appellant-petitioner No.1 filed a petition for divorce which was dismissed on 12.4.2013. Aggrieved by the dismissal of his petition for divorce, appellant-petitioner No.1 filed appeal before this Court and during pendency of the appeal the matter was settled and the appeal was converted to petition under Section 13-B of the Hindu Marriage Act vide

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order dated 27.4.2017.

Pursuant to settlement arrived at between the parties, statements of the parties at first motion were recorded on 27.4.2017. Statements on second motion of the parties have been recorded today. Respondent-petitioner No.2/wife has agreed to dissolve the marriage on mutual consent on receipt of a sum of Rs.2,00,000/- in lump sum towards the dowry articles and permanent alimony. Demand draft of Rs.1,00,000/- was handed over to the respondent-petitioner No.2/wife on 27.4.2017 and demand draft of Rs.1,00,000/- has been handed over to respondent-petitioner no.2/wife today in the Court. As per settlement, the children will remain with petitioner No.1/husband.

In view of the statements of the parties recorded at first motion as well as at second motion, we are satisfied that the marriage between the parties has broken beyond repairs. The joint petition for grant of divorce by mutual consent filed under Section 13-B of the Hindu Marriage Act, 1955, is allowed. The marriage between the parties is dissolved by a decree of divorce on mutual consent. There shall be no order as to costs. Decree sheet be prepared accordingly.

(M.M.S. BEDI)
JUDGE

November 1, 2017.
raj arora

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No