

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

FAO-M-199 of 2015

Date of Decision: July 24, 2017

Paramjeet Singh

.....Party No.1/ Petitioner

Vs.

Inderpreet Kaur

.....Party No.2/ Respondent

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

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Present:- Mr. Sharad Mehra, Advocate for the appellant.
Mr.P.B.S. Goraya, Advocate for the respondent.

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M.M.S. BEDI, J.

Being aggrieved by the judgment and decree dated January 5, 2015 passed by Additional District Judge, Amritsar dismissing the application for dissolution of marriage, Paramjeet Singh had preferred first appeal before this Court.

During the pendency of the appeal, the matter was referred to Mediation and Conciliation Centre of Punjab and Haryana High Court. The parties entered into an amicable settlement on February 15, 2016 before the Mediation and Conciliation Centre agreeing to abide by the terms and conditions of the compromise as they were not in a position to live together as husband and wife. Copy of the compromise entered into between the

parties before the Mediation and Conciliation Centre is made part of the record as Ex.PX.

In view of the fact that appeal is continuation of the original petition, permission was granted to convert the petition under Section 13 of the Hindu Marriage Act filed by Paramjeet Singh into a petition under Section 13 B of the Hindu Marriage Act. First statements of the parties were recorded on January 17, 2017 and the matter was deferred for July 24, 2017 for recording the second statement during the second motion.

On conversion of the petition to one under Section 13 B of the Hindu Marriage Act, the appellant Paramjeet Singh was made party No.1 and respondent wife Inderpreet Kaur was made party No.2. Their statements have been recorded today. The parties agreed that the matter had been settled vide agreement Ex.PX. A sum of Rs.15 lacs has been paid in the shape of FDR in the name of minor daughter Ekam. The original FDRs were also handed over to party No.2. Parties agreed to abide by the terms and conditions of the settlement/ agreement Ex.PX and consented that the marriage be dissolved under Section 13 B of the Hindu Marriage Act.

We have considered the statements of the parties and are of the opinion that on account of temperamental differences it is not possible for the parties to stay together and they have been living separately from each other from the last so many years. It had inter-alia been agreed that a sum of Rs.15 lacs will be paid in the shape of FD in the name of minor son Manav and another sum of Rs.15 lacs will be paid by way of another FDR for one year in the name of minor daughter Ekam. After clearing the loan amount from HDFC Bank of Plot No. 42 SF, HIG, Madan Lal Dhingra Complex,

Amritsar, the share of party No.1 will be transferred in the name of party No.2 Inderpeet Kaur and the conveyance deed regarding the share of party No.1 will be executed in favour of party No.2. Party No.2 has agreed to withdraw all the cases pertaining to the property and domestic violence.

In view of the terms and conditions of the settlement having been abided and going through the statements recorded at the second motion stage, the marriage of parties No.1 and 2 is dissolved under Section 13 B of the Hindu Marriage Act and it is directed that the conditions of Ex.PX will remain binding on the parties.

Petition is disposed of accordingly.

(M.M.S. BEDI)
JUDGE

July 24, 2017
sanjay

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether reportable:	Yes/No.