

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

FAO-M-231 of 2015

Date of Decision: October 3, 2017

Mandeep SinghAppellant
Vs.

Gurjit Kaur and anr.Respondents

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

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Present: Mr. Ritesh Pandey, Advocate for the appellant.
Mr. Satbir Rathore, Advocate with respondent No.1.

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M.M.S. BEDI, J.

This order will dispose of a petition under Section 13 B of the Hindu Marriage Act filed by Mandeep Singh and Gurjit Kaur for dissolution of marriage by mutual consent on the basis of the settlement Ex.CX dated November 22, 2016 during the pendency of appeal FAO No. 231 of 2015 against the dismissal of a petition for divorce which was dismissed by the Additional District Judge, Gurdaspur on April 17, 2015.

On the basis of compromise Ex.CX, the memo of parties is ordered to be altered. Conversion is allowed. Mandeep Singh and Gurjit Kaur are ordered to be shown as petitioners in petition under Section 13 B of the Hindu Marriage Act.

At the first motion both the parties had furnished their affidavits on March 27, 2017 and stated that the affidavits may be treated as their statements on the basis of the settlement.

The parties had married on January 25, 2010. One male Child Anshuman was born from the wedlock. On account of temperamental differences both the parties were residing separately.

During the pendency of the appeal of Mandeep Singh matter was referred to Mediation and Conciliation Centre of Punjab and Haryana High Court. A settlement was arrived at between the parties to the effect that Mandeep Singh would pay a sum of Rs.14 lacs to Gurjit Kaur as permanent alimony and maintenance for their son Anshuman. A sum of Rs.4 lacs was to be paid at the first motion stage. Remaining amount of Rs.10 lacs was to be paid by the Mandeep Singh in the form of FDR in the name of Anshuman for a period of 13 years. Both the parties complied with the conditions of the settlement and got their settlements recorded on second motion stage today and admitted that they would be bound by the terms and conditions of Ex.CX which is made part of the record.

After considering the statements of the parties we are satisfied that the marriage between the parties has broken beyond repair and can be permitted to be dissolved by a decree of divorce under Section 13 B of the Hindu Marriage Act. Ordered accordingly. As per the terms and conditions, the custody of the child will remain with the mother.

Allowed in the aforesaid terms.

(M.M.S. BEDI)
JUDGE

October 3, 2017
sanjay

(AUGUSTINE GEORGE MASIH)
JUDGE

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