

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA No.4246 of 2016 (O&M)
Date of Decision : 26.07.2017.

Birender

.....Appellant

Versus

Smt. Sujata

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Mukesh Yadav, Advocate for the appellant.

Ms. Bhavna Grewal, Advocate for
Mr. S.K.Yadav, Advocate for the respondent.

ARUN PALLI, J. (Oral)

This is an appeal against the judgment dated 25.07.2016, rendered by the District Judge, Narnaul, vide which, marriage between the parties was declared nullity.

The facts that are required to be noticed are limited.

The appellant performed marriage with the respondent on 14.02.2013 at Narnaul. Concededly, the respondent was born on 11.08.1997, thus she was barely 15 ½ years old at the time of marriage. As a result, the petition filed by the respondent under Section 3 of The Prohibition of Child Marriage Act, 2006 (for short 'the Act') was allowed. Accordingly, the marriage between the parties was declared null and void. And, in terms of Section 4 of the Act the learned District Judge awarded a sum of ₹1,00,000/-, in lump sum, to the respondent as maintenance till she re-married.

Having argued the matter at some length, learned counsel for the appellant submits that the appellant is willing to pay the entire amount awarded by the learned District Judge i.e. ₹1,00,000/- but in 6 monthly installments.

The prayer made by learned counsel for the appellant is not opposed. For, learned counsel for the respondent submits that let the requisite amount be deposited as suggested by learned counsel for the appellant.

That being so, the appeal is disposed of in the following terms:-

- (a) the appellant shall deposit a sum of ₹1,00,000/- in 6 monthly installments;
- (b) the first 5 installments shall be of ₹16,000/- each and, the last installment (6th) would be of ₹20,000/-;
- (c) the first installment shall be deposited on 1.8.2017, and likewise the remaining 5 installments on 1st of every successive month;
- (d) an undertaking, in the above terms, shall be furnished by the appellant with the executing Court within a week from today and a copy thereof, shall be placed on record of this case.

26.07.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No