

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO-M No. 91 of 2017(O&M)
Date of decision: 17.05.2017

Priyanka

..... Appellant

Versus

Anuj Kumar

..... Respondent

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present:- Mr. Gaurav Singla, Advocate for
Mr. Sanjiv Gupta, Advocate
for the appellant.

AJAY KUMAR MITTAL, J. (ORAL)

1. The appeal is against the order dated 12.01.2017 passed by learned Additional District Judge, Panipat, whereby petition filed by the parties under Section 13B of the Hindu Marriage Act, 1955 (for short, 'the Act') has been dismissed.

2. Vide order dated 30.03.2017 it was observed by this Court that the respondent-husband has backed out from the original stand which he had taken with regard to parting ways. Still on the request of learned counsel appearing for the appellant that there is possibility for an amicable settlement of the dispute between the parties, notice of motion was issued.

3. As per the office report, notice could not be issued to the respondent for want of process fee. Moreover, the present appeal against the dismissal of petition under Section 13B of the Act seeking divorce by mutual consent is not maintainable. In case fresh settlement is arrived at between the parties, they may take recourse to their remedies in accordance with law.

4. Dismissed.

**(AJAY KUMAR MITTAL)
JUDGE**

May 17, 2017
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**(HARINDER SINGH SIDHU)
JUDGE**

**Whether speaking/reasoned Yes/No
Whether Reportable Yes/No**