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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAT.APP.(F.C.) 72/2013 & CM No.20331/2013**

SMT POOJA

..... Appellant

Through: Ms. Vijay Laxmi Mewara, Advocate with
appellant in person.

versus

SHRI KAMAL RATHORE @ LAXMI NARAIN Respondent

Through: Mr. Mohd. Asif, Advocate with respondent
in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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29.05.2017

1. This order is in continuation of the order dated 26.05.2017, on which date, it was noted that certain compliances were required to be made by the parties in terms of the settlement recorded on 11.11.2016, which have not been made. The only step required to be taken was that the respondent had to deposit a sum of Rs.4 lakhs in the name of the minor child of the parties with a Nationalised Bank for being renewed from time to time, till the date the child attains the age of majority and that amount would be treated as full and final satisfaction of the settlement.

2. Today learned counsels for the parties jointly state that the respondent has made compliances by getting an FDR dated 29.05.2017 for a sum of Rs.4 lakhs drawn on Canara Bank, Khanpur Jawahar Nagar, Delhi prepared in the name of the minor child, Baby Tanya Rathor. The said FDR bears a maturity date of 20.05.2025, by which date the minor child will attain majority. A copy of the aforesaid FDR is handed over by the appellant and is

taken on record.

3. Learned counsels for the parties state that the remaining terms and conditions of the settlement have already been acted upon and now both sides shall jointly take steps for quashing of FIR No.225/2009. The appellant shall also take steps to withdraw the complaint filed by her against the respondent under the Protection of Women from Domestic Violence Act, 2005 and the execution petition filed by her.

4. Learned counsel for the appellant states that in view of the fact that the respondent has discharged his obligations in terms of the settlement recorded on 11.11.2016, she wishes to withdraw the present appeal. In other words, the appellant has no objections if the impugned judgment dated 28.10.2013, passed by the learned Family Court granting a decree of divorce to the respondent under Section 13(i)(ia)(ib) of Hindu Marriage Act, 1955, is maintained.

5. In view of the submission made above, the present appeal is dismissed as withdrawn along with the pending application. The parties are bound down to the settlement dated 11.11.2016.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

MAY 29, 2017
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