

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 55 of 2018**

- Smt. Shalini Pal W/o Arun Pal Aged About 35 Years S/o Parasnath Pal, R/o N.C.H.Colony, Dipka, P.S. Dipka, District Korba, Chhattisgarh, Permanent Address Government Higher Secondary School, Akaltara, Block Jaijaipur, District Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Appellant**Versus**

- Arun Kumar Pal S/o Late Jagram Pal Aged About 35 Years R/o Ramkali Bada, Sindhi Colony, Bilaspur, P.S. Civil Line Bilaspur, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Appellant : Shri Anand Shukla, Advocate

Appellant – Smt. Shalini Pal and Respondent – Shri Arun Kumar Pal are also present in the Court

Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Rajani Dubey****Order On Board****18/06/2018**

1. The respondent / Arun Kumar Pal states that he has not engaged any counsel in the matter.

2. An application has been filed by the appellant and the respondent both with a prayer that the judgment and decree dated 29/11/2017 passed in civil suit No.142A-2016 may be set aside as the parties have amicably settled their dispute. It is stated that along with the application, affidavit of the appellant and the respondent have been filed.

Learned counsel for the appellant and the parties who are present in the Court would submit that though earlier, a dispute existed between the husband and the wife which led to filing of an application by the respondent before the Family Court which eventually led to passing of impugned judgment and decree of divorce

in favour of the respondent and against the appellant, but later on, the appellant / wife and respondent / husband have brought about their reunion by a conscious decision to save their married life.

The respondent, therefore, is not pressing his application for grant of decree of divorce on the grounds stated in his application.

3. The prayer made before the Court by the appellant and the respondent in essence is a prayer for passing a decree of compromise and settlement entered into between the parties. As the respondent does not wish to press his application for grant of divorce, we are inclined to set aside the impugned judgment and decree passed by the Family Court and dismiss the suit of the respondent with no cost.

4. Accordingly, the application is allowed and the appeal is consequently allowed. The impugned judgment and decree is set aside and the suit filed by the respondent is dismissed.

Let the appellate decree be drawn accordingly.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge