

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
FAM No. 193 of 2016

- Smt. Preeti Malik W/o Manoj Malik, Aged About 28 Years Caste- Sweepar, Through Lalji Bamle, Tilak National School, Gadikhana Katni, Police Station, Tahsil, Civil And Revenue District Katni M.P., Madhya Pradesh

---- Appellant

Versus

- Manoj Malik S/o Ramcharan Malik, Aged About 33 Years Caste- Sweepar, R/o Hasdev Dafai Ledri, Police Station- Jhagrakhand, Tahsil Manendragarh, Civil And Revenue District Korea, Chhattisgarh, Chhattisgarh

---- Respondent

For Appellant	:	Ms. Sareena Khan, Advocate.
For Respondent	:	None.

Hon'ble Thottathil B. Radhakrishnan, Chief Justice

Hon'ble Shri Justice Sharad Kumar Gupta

Order on Board

Per Thottathil B. Radhakrishnan, Chief Justice

08.02.2018

1. This appeal is by the wife. Respondent-husband filed an application for divorce. That has been decree ex-parte. The couple have two children.
2. Pending this appeal against the ex-parte decree of divorce, the parties took recourse to mediation. That resulted in mediation settlement between them, signed by the parties and the mediator on 21.09.2017. Thereby, among other things, it is agreed that the ex-parte decree which is impugned in this appeal be set aside on consent.
3. We have perused the mediation settlement agreement. We record that settlement and vacate the impugned ex-parte decree in terms of the mediation settlement dated 21.09.2017 keeping all other clause of that settlement intact.
4. This appeal is accordingly allowed vacating the impugned decree on mediation

settlement. The mediation settlement agreement dated 21.09.2017 as between the Appellant and the Respondent is recorded hereby, to be treated as part of this judgment and this judgment alongwith the said mediation settlement agreement will be treated as decree for all intents and purposes, in supercession of the decree impugned in this appeal. The appeal is ordered accordingly.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge