

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR(F) No.199 of 2016 (O&M)

Date of Decision: 16.04.2018

Anju Bala and others

..... Petitioners

Versus

Naresh Kumar

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gautam Kailey, Advocate
for the petitioners.

Mr.Arinder Arora, Advocate
for the respondent.

LISA GILL, J(Oral).

This petition has been filed for modification of order dated 04.04.2016 passed by the learned Additional District Judge (Family Court), Ambala, while claiming maintenance @ Rs.5000/- for petitioner no.1 (wife of the respondent) and Rs. 2500/- each for petitioners no.2 and 3 under Section 125 Cr.P.C.

Learned counsel for the petitioners and respondent submit that the matter has been amicably resolved between the parties before the Mediation and Conciliation Centre of this Court on 09.03.2018. Settlement agreement dated 09.03.2018 is attached with the file of this case. Clause 7 of the settlement reads as under:-

a) That both the parties i.e. Mr. Naresh Kumar and Mrs Anju Bala will part ways and will reside separately. However, elder child namely Ritesh Kumar born out of their wedlock will be residing with Mr. Naresh Kumar and the other child namely Parul will be residing with Ms. Anju Bala and there is no objection to either party, in case, any of the parties or their respective parents (grand parents of the children of the parties) would give separately to both the children.

b) That it has also been decided between the parties that Mrs. Anju Bala being mother of the abovenamed child Parul

will act as single parent in future, either in his studies or otherwise and Naresh Kumar will not raise any objection thereto and similarly Naresh Kumar being father of the other child Ritesh Kumar will act as single parent in future, either in his studies or otherwise and Anju Bala will not raise any objection.

c) That it has been decided between the parties that they will end up all their abovesaid litigations for a lumpsum consideration of an amount of Rs. 6,00,000/- (Rs. Six Lacs only) as permanent alimony. It has also been decided that the abovesaid amount of Rs. Six lacs would be paid by Naresh Kumar to Anju Bala as permanent alimony as two parts.

d) Rs.3,00,000/- (Rs. Three Lacs.) out of the abovesaid total amount of Rs. 6 lacs (Rs. Six Lacs only) shall be paid by Naresh Kumar to Anju Bala on the first hearing of the mutual divorce to be filed jointly by the parties before the District Courts at Ambala, which would be on or before 20.03.2018 and the rest Rs.3 Lacs/- (Rs. Three Lacs) shall be paid by Naresh Kumar to Anju Bala on the final disposal of HMA petition for mutual divorce to be filed by both the parties and upon receipt of the abovesaid total agreed amount of Rs. 6 Lacs, both the parties will request the Hon'ble Distt. Judge, Ambala to pass a decree of mutual divorce.

Besides the abovesaid agreed amount, there shall not be any other claim by both the parties against each other in future.”

Learned counsel for the petitioners submits that the present petition be disposed of in view of the settlement between the parties.

Ordered accordingly.

16.04.2018

s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.