

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

214

FAO-M-220-2007

DATE OF DECISION: 20.09.2018

SUKHWINDER KAUR

... Appellant

Versus

AMRIT SINGH

... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Dhirinder Chopra, Advocate
for the appellant.

Mr. Amarjit Markan and Mr. Kanwal Goyal, Advocate
for the respondent.

M.M.S. BEDI, J. (ORAL)

This order is in continuation of earlier order dated 31.08.2018. The respondent-husband has appeared before the Court and made statement as per the terms of the compromise Ex. CX to abandon and withdraw his original claim and grounds of divorce against the appellant.

We have considered the facts and circumstances of the case. Taking into consideration the provisions of Order 23 Rule 1 (1) and (4) CPC, the respondent is permitted to abandon and withdraw his claim against the appellant. The appeal, on account of abandonment of the claim of the respondent, has to be allowed and the judgment and decree passed in favour of the respondent deserves to be set aside as a natural consequence.

The appeal is allowed. Judgment and decree dated 17.08.2007 passed in favour of the respondent is hereby set aside as the respondent has abandoned and withdrawn his claim throughout. Ex. CX is made part of the

record. Parties will comply with the terms of the settlement Ex.CX and withdraw the cases mentioned therein.

(M.M.S. BEDI)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

20.09.2018.
SwarnjitS

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No