

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CM No.12734-CII of 2018 in/and
FAO No. 2361 of 2016
Date of decision: 13.07.2018.**

Neelam Rani Appellant.

Versus

Surender Singh Respondent.

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

Present:- Ms. Kiran Bala Jain, Advocate, for the appellant.

Mr. R.N. Singal, Advocate, for the respondent.

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

Vide a combined judgment and decree dated 01.09.2015, the petition filed by appellant-wife Neelam Rani under Section 9 of the Hindu Marriage Act, 1955 ('Act' - for short) was dismissed and the petition for divorce filed by respondent-husband was allowed.

Aggrieved by the said judgment and decree, the wife has preferred two appeals challenging the judgment and decree passed in the petitions under Section 9 and Section 13 of the Act. During pendency of the appeals, the appellant-wife has received *lump sum* alimony and entered into a final settlement to part company from the respondent and has filed the present civil miscellaneous application, i.e. CM No.12734-CII of 2018, for withdrawal of the appeal along with an affidavit that she does not want to pursue the appeal on account of the above-said amicable settlement.

Mr. R.N. Singal, Advocate, for the respondent, on notice having received by him, submits that he has got no objection in case the appellant is permitted to withdraw the appeal. He has affirmed the factum of amicable settlement arrived at between the parties on receipt of permanent alimony by the appellant.

In view of above-said circumstances, the civil miscellaneous application, i.e. CM No.12734-CII of 2018, is allowed and the appeal is dismissed as withdrawn affirming the judgment and decree dated 01.09.2015.

(M.M.S. BEDI)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

13.07.2018
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No