

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

221

FAO-7180-2016 (O&M)

(converted to petition u/s 13-B
of Hindu Marriage Act 1955)

Date of Decision: 4.12.2018

JATINDER OBEROI ALIAS SUNNY Petitioner No.1.

and

ANITA Petitioner No.2.

**CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
 HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Jatinder Oberoi, Petitioner No.1 in person with
 Ms. Sukhpreet Kaur, Advocate

 Ms. Anita, Petitioner No.2 in person with
 Mr. Arvinder Arora, Advocate.

RAKESH KUMAR JAIN, J. (ORAL)

 This appeal has arisen from the judgment and decree dated 16.9.2016 passed by the Family Court, Ambala, by which petition filed under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') for dissolution of marriage of the appellant with the respondent wife was dismissed.

 The marriage was solemnized on 24.9.2012 as per Hindu rites but the parties have no child from the said wedlock. Both the parties have filed an application under Section 151 CPC for placing on record a petition filed under Section 13-B of the Act for dissolution of their marriage by way of decree of divorce on mutual consent. That application was allowed and the petition filed under Section 13-B of the Act was taken on record. Both the parties had recorded their statement at

the first motion stage on 12.11.2018. The parties had agreed to part ways on payment of ₹ 5 lakh in all, out of which, ₹ 2.5 lakh was paid by the appellant husband to the respondent wife in Court on 12.11.2018 towards first installment. The case is now listed today for recording of the statement at second motion stage and payment of remaining ₹ 2.5 lakh. The appellant husband has handed over a draft of ₹ 2.5 lakh to the respondent wife in Court today. Thus, the entire amount has been paid as agreed. Their statements at second motion stage are also recorded today separately. It is pertinent to mention here that now the entire payment has been paid and nothing else is due to be paid to the respondent wife by the appellant husband.

We have specifically asked both the parties as to whether they still stick to their stand for seeking grant of divorce by mutual consent to which they both have agreed.

In view of the aforesaid circumstances, petition filed under Section 13-B of the Act before this Court is hereby allowed and the marriage of the parties solemnized on 24.9.2012, is hereby dissolved by way of a decree of divorce by mutual consent. Both the parties shall be bound by their statements. Decree sheet be prepared accordingly.

(RAKESH KUMAR JAIN)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

4.12.2018.

SwarnjitS

Whether speaking/reasoned :
Whether reportable :

YES/NO
YES/NO