

FAO-M-222-2014 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**FAO-M-222-2014 (O&M).
Decided on: February 8, 2018.**

Ranjit Kaur

.. Appellant

VERSUS

Davinder Singh

.. Respondent

*** * ***

**CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI
HON'BLE MR.JUSTICE GURVINDER SINGH GILL**

*** * ***

**PRESENT Mr.R.D.Bawa, Advocate,
for the appellant.**

**Mr.L.S.Sandhu, Advocate,
for the respondent.**

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

The respondent-husband had been granted a decree of divorce on 23.4.2014 vide impugned judgment and decreed passed by the Additional District Judge, Patiala. The appellant-wife has preferred the present appeal. During pendency of the appeal, the parties have arrived at a settlement that 1/3rd of the land of respondent in 20 kanals 19 marlas would be transferred in the name of son of the parties, namely Surkhab Singh. Besides this, it has been agreed that a sum of Rs.6 lac will be paid to the appellant-wife as permanent alimony and she would withdraw the appeal.

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Respondent present in the Court has brought to the notice of this Court that as per above said settlement, 1/3rd share in the land has been transferred in the name of the son and he is ready to pay balance amount of Rs.6 lac. A sum of Rs.6 lac has been paid by way of crossed cheque with an assurance that on presentation the same it will be cleared.

In view of above, the appeal is dismissed as withdrawn. The judgment and decree dated 23.4.2014, passed by the lower Court in favour of the respondent is hereby affirmed subject to the condition that the transfer of 1/3rd share in the name of Surkhab Singh is a valid transfer bestowing 1/3rd share of Davinder Singh upon him. The original transfer deed has been handed over to the appellant and a photocopy of the same has been retained on the record. The appellant shall withdraw any proceedings initiated by her against the respondent within a period of one month.

It is made clear that in case the cheque of permanent alimony is not cleared, the appellant-wife would be entitled to seek restoration of the appeal and take action in accordance with law against the respondent.

(M.M.S. BEDI)
JUDGE

February 8, 2018.
raj arora

(GURVINDER SINGH GILL)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No