

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-436-2015 (O&M)

Date of Decision: 1.11.2018

Paramjit Kaur

...Appellant

Versus

Azadvinder Singh

...Respondent

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

Present: Mr.Surinder Sharma, Advocate for the appellant.

Mr.Dheeraj Mahajan, Advocate for the respondent.

RAKESH KUMAR JAIN, J. (Oral)

This appeal is filed by the wife against the judgment and decree dated 1.5.2015, passed on a petition filed by the husband under Section 9 of the Hindu Marriage Act, 1955 (for short 'the Act') for seeking restitution of conjugal rights. While this appeal was pending, the matter was referred to the Mediation and Conciliation Centre of this Court to explore the possibility of a settlement between the parties. The parties had entered into a settlement which was reduced into writing on 22.12.2017 and as per which they have decided to part ways by way of obtaining divorce by filing a petition under Section 13-B of the Act before this Court. Thereafter, a petition under Section 13-B of the Act was filed in which first motion statement of both the parties was recorded separately on 16.3.2018 by this Court. Settlement/agreement was taken on record as Ex.CX. Parties have appeared today in the Court for recording their second motion statement. Both the parties have been identified by their respective counsels.

still stick to their statements made at the first motion stage to which they both have agreed. Therefore, the statements recorded today separately are also taken on record. It is also pertinent to mention here that in pursuance of the settlement, the respondent has paid a sum of ₹One lac by way of two drafts of ₹60,000/- and ₹40,000/- respectively and handed over the same to the appellant who is present in the Court today.

In view of the aforesaid, the present petition filed under Section 13-B of the Act is hereby allowed and marriage of the parties to the lis is hereby dissolved by way of decree of divorce by mutual consent. Decree sheet be prepared accordingly.

(Rakesh Kumar Jain)
Judge

(Anupinder Singh Grewal)
Judge

November 1, 2018
Meenu

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