

FAO-M-440-2016 (O&M)

Date of decision: 09.10.2018

Vikas Nirmal

.....Appellant

Versus

Seema Sharma

.....Respondent

**CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI
HON'BLE MR. JUSTICE KULDIP SINGH****Present:** Mr. Sandeep Kumar Yadav, Advocate for the appellant.

A.B. CHAUDHARI, J. (Oral)**CM-21810-CII-2018**

The present application has been filed under Section 151 CPC for permission to withdraw the main appeal as the matter has been settled between the parties and petition for divorce under Section 13(B) of Hindu Marriage Act has been filed and statement of first motion has been recorded on 10.09.2018 (Annexure A-1).

Application is allowed, as prayed for.

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The present appeal has been admitted by this Court on 22.05.2017.

In view of the above order passed in CM-21810-CII-2018, the appeal is taken up on board today itself.

Learned counsel for the appellant states that a compromise has been effected between the parties and therefore, he want to withdraw the present appeal.

Dismissed as withdrawn.

In terms of order dated 12.12.2016, Rs.20,000/- were deposited by the appellant in the name of the respondent with demand draft No.444073 dated 16.05.2017, but despite service, respondent has not appeared and the present appeal was admitted vide order dated 22.05.2017.

In view of the above, amount of Rs. 20,000/- be returned back to the appellant.

**(A.B. CHAUDHARI)
JUDGE****(KULDIP SINGH)
JUDGE****09.10.2018**

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No