

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.3243 of 2017 (O & M)
Date of Decision: 25.10.2018

Tarun Khurana

.Appellant

Vs.

Kritika

. Respondent

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

Present: - Ms. Gurdeep Kaur, Advocate
for the appellant.

Mr. Vishal Nehra, Advocate
for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

This appeal is filed by the husband against the order dated 03.03.2017 passed by the Family Court, Rohtak by which the petition filed under Section 13-B of the Hindu Marriage Act, 1955 (for short - 'the Act') by both of them to dissolve their marriage by way of mutual consent has been dismissed because the respondent-wife had refused to give consent for the second motion.

During the pendency of this appeal, the matter was referred to the Mediation and Conciliation Centre of this Court where the parties have entered into a settlement on 25.09.2018, as per which, they had agreed to part-ways amicably on payment of ₹ 22.5 lakhs by the husband to the wife, out of which ₹ 19 lakhs has already been paid and ₹ 3.5 lakhs has been paid today by way of three bank drafts drawn in favour of the respondent-wife.

We have asked the respondent-wife, who is present in Court,

about the settlement to which she has agreed and stated that she will make the second motion statement before the learned trial Court if the matter is remanded.

In view of the settlement dated 25.09.2018, the appeal is hereby disposed of and the matter is remanded back to the Family Court, Rohtak to record the second motion statement by the wife for the purpose of granting the decree of divorce by way of mutual consent.

Parties are directed to appear before the Family Court, Rohtak on 31.10.2018.

(RAKESH KUMAR JAIN)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

25.10.2018
A.Kaundal

Whether speaking /reasoned : Yes/No

Whether Reportable : Yes/No