

FAO-5619-2017 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**FAO-5619-2017 (O&M).
Decided on: July 6, 2018.**

Saroj

.. Appellant

VERSUS

Om Parkash

.. Respondent

*** * ***

**CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI
HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL**

*** * ***

**PRESENT Ms.Sunita Nambiar, Advocate,
for the appellant.**

**Mr.Namit Khurana, Advocate,
for the respondent.**

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

Respondent-husband Om Parkash has been granted a decree of divorce vide judgment and decree dated 24.7.2017 passed by the District Judge, Bhiwani. Aggrieved by the said judgment and decree, the wife has preferred the present appeal.

During pendency of the appeal, the matter was referred to the Mediation and Conciliation Centre. The parties arrived at a settlement on 23.5.2018 before the Mediation and Conciliation Centre, the original of which has been made part of the record as EX.CX. As per the terms of settlement EX.CX, the appellant-wife has agreed to withdraw the present appeal subject to the condition that the respondent-husband shall pay maintenance pendente lite @ Rs.6,000/- per month w.e.f. June 2018 besides payment of Rs.18,000/- in three installments. One installment has already

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been paid. It is also agreed between the parties that the maintenance case pending at Bhiwani, filed by the appellant-wife will be withdrawn. It has been mutually agreed that the decree obtained by the respondent-husband shall attain finality on withdrawal of this appeal. It is also agreed between the parties that appellant-wife Saroj shall be entitled to the family pension after the death of the respondent-husband which would secure the future of the appellant-wife and two sons born out of the wedlock. Both the parties have signed the settlement EX.CX.

In view of above circumstances, the appeal is dismissed as withdrawn with a direction that the appellant-wife would be entitled to a sum of Rs.6,000/- per month during the life time of the respondent-husband besides her right to get the family pension even after his death. The agreement EX.CX having been made part of the record will be binding on the rights of both the parties and the terms of the settlement would be executable by the appellant-wife against the respondent-husband as well as against the family pension as per the agreement. In case of non-compliance of any term of settlement EX.CX, at any stage, the appellant-wife will be entitled to execute the same and will be entitled to costs of Rs.25,000/- for each such application.

(M.M.S. BEDI)
JUDGE

July 6, 2018.
raj arora

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No