

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 992 of 2017 (O&M)
Date of Decision : 02.11.2018

Latika Kumari

...Appellant

Versus

Tarun Kumar Paruthi

...Respondent

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

Present: Ms. Amrita Nagpal, Advocate for the appellant.

 Mr. Vipul Dharmani, Advocate for the respondent.

Rakesh Kumar Jain, J.(Oral)

This appeal is filed by the wife against the judgment and decree dated 05.11.2016, passed in a petition filed by the husband under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') by which the decree of judicial separation was passed.

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 on 02.02.2018 as per which they have decided to part ways by 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 30.04.2018 by this Court. Settlement/agreement was taken on record as Ex. CX.

Parties have appeared today in Court for recording their second motion statement. Both the parties have been identified by their respective counsels.

We have asked both the parties about their consent for the second motion statement to which they both have agreed. Therefore, second motion statements recorded today separately are also taken on record.

It is pertinent to mention here that in pursuance of the settlement, the respondent-husband has paid a sum of ₹6,50,000/- towards the full and final settlement, by way of demand draft drawn in the name of the appellant and handed over the same to the appellant-wife who is present in Court today. The appellant, who is present in Court, has stated at the bar that she would cooperate in quashing the FIR filed by her in the Hon'ble High Court of Himachal Pradesh at Shimla and would also abide by the terms and conditions of the settlement.

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 a decree of divorce by mutual consent. Decree sheet be prepared accordingly.

(RAKESH KUMAR JAIN)
JUDGE

November 02, 2018
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No