

Date of Decision: 30.11.2018

....*Appellant*

VS.

...Respondent

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Akash Kundu, Advocate,
for the applicant-respondent.

RAKESH KUMAR JAIN, J. (ORAL)

This appeal is filed at the instance of the appellant-husband who has been unsuccessful in getting a judgment and decree of divorce from the the trial Court.

During the pendency of this appeal, the application filed under Section 24 of the Hindu Marriage Act, 1955 (for short 'the Act') by the respondent-wife was allowed on 07.09.2018 and in order to explore the possibility of a compromise between the parties, this case was referred to the Mediation and Conciliation Centre of this Court where the parties have arrived at a settlement which has been reduced into writing on 21.09.2018. Pursuant thereto, both the parties have filed the petition under Section 13-B of the Act before the trial Court for seeking a decree of divorce by way of mutual consent. Learned counsel for the appellant has informed this Court that the statement at the first motion has already been recorded and, the case is fixed for 28.03.2019 for recording the statement at the second motion stage.

In view thereof, learned counsel for the appellant submits that since a settlement has arrived at between the parties for the purpose of parting ways, the appellant does not want to pursue the present appeal.

Accordingly, the appeal is dismissed as withdrawn as prayed.

[RAKESH KUMAR JAIN]
JUDGE

November 30, 2018
Ess Kay

[ANIL KSHETARPAL]
JUDGE

Whether speaking / reasoned :	✓ Yes / No
Whether Reportable :	Yes / No