

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 179 of 2018**

1. Indrajeet Singh Chakrel S/o I.S. Chakrel Aged About 34 Years
R/o Quarter No. 12/D, Road-8, Sector-1, Bhilai, Tahsil And
District- Durg

(Wrongly Mentioned as Raipur in The Impugned Judgment)

---- Appellant

Versus

1. Smt. Jasmeet Kaur W/o Indrajeet Singh Chakrel Aged About
29 Years R/o House No. 286/A, Dhillon House, Near Madan
Mohan Gurudwara, Madan Mohan, Jabalpur, MP.

---- Respondent

For Appellant
For Respondent

Ms. Trishna Das, Advocate
Ms. Anjali Singh Chouhan, Advocate

Appellant & Respondent are also present

Hon'ble Shri Justice Prashant Kumar Mishra**Hon'ble Smt. Justice Vimla Singh Kapoor****Judgment On Board****By****Prashant Kumar Mishra, J.****14/02/2019**

1. Both the parties are present to make statement in support of
their joint application under Order XXIII Rule 3 read with
Section 151 of the Code of Civil Procedure, 1908 for passing
a decree of divorce along with other terms of settlement
between the parties.

2. The parties have agreed that their marriage solemnized on 25.10.2007 be dissolved by decree of divorce. The appellant has already paid a sum of Rs. 6,75,000/- to the respondent towards permanent alimony.
3. The appellant has agreed that the items described at S.No. 1 to 9 & 14, will be transported to Jabalpur for delivering at the cost of respondent and documents evidencing shall be filed before the Registrar, High Court. However, instead of producing the documents in proof of delivery before the Registrar, High Court, the parties shall submit the proof before the concerned Trial Court.
4. The parties have also submitted a list of criminal cases filed by the respondent against the appellant. The said cases shall be withdrawn by the respondent within a period of two months.
5. At this juncture, the appellant would state that the respondent has also initiated proceeding under the provisions of the Protection of Women from Domestic Violence Act, 2005 (for short 'the DV Act') which should also be withdrawn by the respondent. Contesting the said statement, the respondent would submit that she has not moved any application for action against the appellant or his relatives under the DV Act.

6. Be that as it may, if any, complaint filed by the respondent has taken shape of pending case, the same shall also be withdrawn by the respondent within two months.
7. The following are the terms of settlement as mentioned in para 4 (a) to (e) of the application (I.A.No.1) dated 24-1-2019 :

“a) The marriage solemnized on 25.10.2007 between the parties may be ordered to be dissolved by a decree of divorce by this Hon'ble Court by allowing the appeal and decreeing the suit.

b) The appellant has paid Rs.6,75,000/- (Rs. Six Lakh Seventy Five Thousand only) to the respondent as permanent alimony and thereafter the respondent shall not claim any amount towards maintenance or alimony and abandons all her rights and if fore (*sic* for) any reason the decree of dissolution of marriage does not take place, then the respondent shall return all the aforesaid amount.

c) The appellant has returned all the articles a list whereof is attached, to the respondent, receipt of which has been acknowledged by the respondent.

d) The criminal cases pending before various courts filed by the respondent shall stand terminated and copy of decree made (*sic* may) be produced for consequential order by the concerned courts.

e) The parties shall bear their own respective costs.”

8. In the list of articles, Item No.1 speaks about four gold rings out of which two gold rings have already been returned to the respondent. In lieu of remaining two gold rings the appellant has paid a sum of Rs.25,000/- to the respondent today in the Court itself. The respondent admits to have received the said amount.
9. In view of the above, a decree be passed in terms of settlement, which is to be read along with the entire order passed by us today.
10. Accordingly, the appeal stands disposed of in the terms as stated *supra*.

Sd/-
Judge
Prashant Kumar Mishra

Sd/-
Judge
Vimla Singh Kapoor

Ayushi