

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

FAO-1921-2019 (O&M)

Date of decision : 18.10.2019

Parveen Kumar

....Appellant

V/s

Sunila Kumari

....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Ramesh Goyat, Advocate for the appellant.

Mr. Subhash Rana, Advocate for the respondent.

RAJAN GUPTA J.

Marriage between the parties was solemnized on 11.03.2007.

As the differences developed between them, petitioner-husband filed a petition under section 13 of the Hindu Marriage Act against the respondent.

Same was, however, dismissed by the Family court, Hisar vide its order dated 26.02.2019. Present appeal emanates from the said order. During the pendency of the appeal, a settlement was arrived at between the parties.

Parties pray that present appeal be treated as one under section 13-B of the Hindu Marriage Act, 1955. This prayer was accepted and statements of the parties at first motion were recorded on October 16, 2019. Matter was thereafter adjourned to today i.e. October 18, 2019. Statements of the parties at second motion have been recorded separately today. They stand by their statements made at first motion and adhere to the terms of settlement, Annexure A-1. An amount of ₹30.00 lacs out of which ₹15.00 lacs for the wife in lieu of permanent alimony and ₹15.00 lacs for the

maintenance and brought up of the daughter namely Freesia has already

been remitted to respondent Sunila Kumari. Learned counsel have also made a prayer seeking waiver of the statutory period of six months envisaged by section 13-B(2) of the Act.

In view of above, we hereby dissolve the marriage between the parties by a decree of divorce in terms of section 13-B of the Act. Statutory period of six months envisaged by section 13-B(2) of the Act is hereby waived off in view of judgment of the Supreme court titled as *Amardeep Singh vs. Harveen Kaur, 2017(8) SCC, 746*. Petition is allowed.

Decree-sheet be drawn accordingly.

(RAJAN GUPTA)
JUDGE

October 18, 2019

Ajay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No