

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

247

CRR(F)-40-2018 (O&M)

Date of Decision:15.05.2019

Sonu

.....Petitioner

Versus

Rinku

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Manmeet Kumar Arya, Advocate,
for the petitioner.**

**Mr. Lekh Raj Nandal, Advocate,
for the respondent.**

HARI PAL VERMA, J.(Oral)

Petitioner has filed the present revision petition against the judgment dated 28.10.2015 passed by Family Court, Rohtak, whereby on a petition filed by the respondent under Section 125 Cr.P.C., learned Family Court has granted maintenance @ ₹3,500/- per month to the respondent from the date of filing of the petition.

Vide order dated 24.01.2018 passed by this Court, the parties were directed to appear before the Mediation and Conciliation Centre of this Court.

Pursuant to the aforesaid order, parties had appeared before the Mediation Centre of this Court and a report was received from the Mediator, wherein the parties have settled their disputes by way of amicable settlement. The Settlement/Agreement dated 07.05.2018 is made part of the

record.

Relevant paragraph 5 of the Settlement/Agreement dated 07.05.2018, reads as under:-

“a) The parties have concluded that Sonu and Rinku will not be able to live as husband and wife and have decided to part ways by getting divorce from each other on the basis of mutual consent. It has been agreed that the parties shall file petition under Section 13-B HMA at Rohtak on or before 1st week of July, 2018.

b) It has been further decided between the parties that a joint petition under Section 13-B of the Hindu Marriage Act shall be filed by both the parties for getting divorce on mutual consent basis in the competent Court of Rohtak. Sonu and Rinku further undertake to make statement, to file affidavit in support of the petition under Section 13-B as and will appear and make statement for the second motion as and when directed by the learned Court. It has been further agreed that the litigation expenses at Rohtak shall be paid by the first party.

c) It has been agreed between the parties that Sonu-husband shall pay a total amount of Rs.2,00,000/- (Rupees Two Lacs Only) to the second party i.e. Rinku (wife). The amount of Rs.2,00,000/- (Rupees Two Lacs Only) shall be full and final amount for past, present and future and no further amount shall be claimed by the second party i.e. Rinku (wife) on any account i.e. dowry articles, permanent alimony and maintenance (past as well as future). It has been agreed between the parties that the amount of Rs.2,00,000/- (Rupees Two Lacs Only) shall be paid by the first party to the second party in four instalments in the following manner:-

i) The first instalment of Rs.50,000/- (Rupees Fifty Thousand Only) shall be payable to the second party i.e. Rinku (wife) in the shape of demand draft at the time of filing of divorce petition and making first statement in

the Court under Section 13-B of HMA.

ii) The second instalment of Rs.50,000/- (Rupees Fifty Thousand Only) shall be payable by the first party to the second party i.e. Rinku in the shape of demand draft on 31.10.2018.

iii) The third instalment of Rs.50,000/- (Rupees Fifty Thousand Only) shall be payable to the second party i.e. Rinku (wife) in the shape of demand draft on or before 01.02.2019.

iv) The fourth and the final instalment of Rs.50,000/- (Rupees Fifty Thousand Only) shall be payable to the second party i.e. Rinku (wife) at the time of second motion in the divorce petition under Section 13-B of HMA.

d) It has been further mutually agreed by both the parties that if any complaint/case is pending before any competent Court of Law/authority, which is not in the knowledge of either of the parties or has escaped their attention shall also be withdrawn by them. Both the parties shall have their own counsel in the divorce petition as well as quashing petition.

e) The parties further undertake not to initiate or institute any unwanted litigation against each other and their family. The parties further undertake not to use any document etc. against each other which have been left in their possession after this date of agreement.

f) It has been agreed between the parties that after the passing of the final decree of divorce the first party will appear and request the Hon'ble Court to dispose of his CRR(F) No.40 of 2018 in view of the present compromise.”

In view of the settlement so arrived at between the parties, the present revision petition is hereby disposed of.

The parties shall adhere to the terms & conditions of the

Since the matter has been compromised between the parties before the Mediation and Conciliation Centre of this Court, no further orders are required to be passed in the application i.e. CRM-2578-2018 seeking condonation of delay in filing the present revision petition.

May 15, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No