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

FAO-M-414-2016
Decided on : 12.07.2019

Pooja

..... Appellant

Versus

Paramjeet

..... Respondent

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

Present: Mr. Mohit Rathee, Advocate
for the appellant.

Mr. Vivek Khatri, Advocate
for the respondent.

Rajan Gupta, J.

The instant appeal has been filed against the judgment and decree dated 29.08.2016 passed by the Addl. District Judge, Jhajjar vide which the petition filed under Section 13(1)(ia) of the Hindu Marriage Act, 1955 (for short 'the Act') was allowed.

Marriage between the parties was solemnized on 21.06.2014 as per Hindu rites and ceremonies. No child was born out of the said wedlock.

The divorce petition was filed by the respondent-husband on 14.07.2015 on the ground that he had been treated with cruelty. In support of his case, the respondent-husband stepped into the witness box as PW-1 and submitted his affidavit Ex.PW-1/A wherein he alleged that the appellant-wife remained in the matrimonial home hardly for 25-30

days. Thereafter, she left for her mausi's house. He further alleged that the appellant-wife was not happy with the marriage from the very beginning and she tried to commit suicide on 20.08.2014 due to which a panchayat had been convened. This was done with a view to falsely implicate the respondent-husband and his family members in a case. While leaving the matrimonial home, the appellant-wife took all valuables clothes and articles with her. It was also alleged that the appellant-wife submitted an application in the office of Superintendent of Police, Jhajjar against him and his family members as a result of which, they were summoned by Incharge Women Cell on 14.07.2015. Thereafter, the matter was resolved with the help of the elders and it was decided that an amount of Rs.2 lakhs would be paid by the respondent-husband to the appellant-wife. However, settlement could not culminate as father of the appellant-wife did not accept the amount. The respondent-husband examined two other witnesses Maan Singh as PW-2 and Kamla as PW-3 in support of his contentions and also tendered certain documents.

On the other hand, the appellant-wife stepped into the witness box as RW-1 and examined four other witnesses. She refuted the allegations levelled by the respondent-husband.

We have heard learned counsel for the parties and perused the evidence and other material available on record.

It is, however, clear from the statement of various witnesses that the relations between the appellant-wife and respondent-husband

have deteriorated beyond a point of redemption.

During the course of hearing also, on 22.04.2019, learned counsel for the appellant made a statement that the appellant-wife would have no objection to divorce subject to the condition that the permanent alimony should not be less than Rs.5 lakhs.

Learned counsel for the respondent-husband has accepted the submission made by the learned counsel for the appellant. He, however, prays for taking a lenient view in granting the permanent alimony.

In these circumstances, we feel that the respondent-husband is entitled to divorce on the ground agitated in the petition. Accordingly, the present appeal is dismissed and the respondent-husband is directed to pay a sum of Rs.3 lakhs as permanent alimony in two installments in a period of four months from today. An affidavit in this regard has also been filed in the Court today. Learned counsel for the appellant undertakes that all other litigations pending in the Court below or before the police authority, shall be withdrawn by the appellant-wife within a period of one month.

(RAJAN GUPTA)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

12.07.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No