

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

225

**FAO-M-101-2017 (O&M)
Date of Decision : 03.05.2019**

Supreet Singh Kahlon

... Appellant

Versus

Himi Sharma

...Respondent

**CORAM:HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. H.S.Batth, Advocate for the appellant.

Mr. Kunal Vinayak, Advocate for the respondent.

RAKESH KUMAR JAIN, J.(ORAL)

This appeal is filed by the appellant-husband against the judgment and decree dated 28.02.2017 vide which his petition filed under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') for seeking dissolution of his marriage by way of decree of divorce on the ground of cruelty has been dismissed.

Counsel for the respondent-wife has submitted that the parties have entered into a compromise on the basis of which a petition under Section 13-B of the Act has already been filed before the court below for seeking decree of divorce by way of mutual consent. It is also submitted that the statements at the first motion stage have already been recorded by both the parties.

In view of the aforesaid, learned counsel for the appellant who has feigned ignorance to whatever has been stated by counsel for the

respondent, has prayed for withdrawal of this appeal but at the same time, it is requested that he may be given a liberty to get it revived, in case, the statement made by the respondent is found to be incorrect or the respondent resiles from recording the statement at the second motion stage.

Ordered accordingly.

The appeal is hereby dismissed as withdrawn and liberty is granted as prayed hereinabove.

(RAKESH KUMAR JAIN)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

03.05.2019

pooja saini

Whether speaking/reasoned?

Whether reportable?

Yes/No

Yes/No