

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

FAO-M-89-2017 (O&M)

Date of decision : 13.11.2019

Rajwinder Singh

....Appellant

V/s

Rajinder Kaur

....Respondent

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

Present: Mr. IPS Kohli, Advocate for the appellant.

Mr. Harsh Chopra, Advocate for the respondent.

RAJAN GUPTA J. (Oral)

Respondent-Rajinder Kaur instituted a divorce petition before the court below on the ground that her husband-Rajwinder Singh (appellant herein) had treated her with cruelty after solemnization of their marriage. She also took the ground of desertion. Number of allegations were levelled by her which were refuted by the respondent. In support of her case, she herself stepped into the witness box as PW1 and examined two other witnesses i.e. her father and her daughter. Respondent also stepped into the witness box as RW1 and reiterated his stand. His relative namely Kuldeep Singh deposed in his favour. On examination of the entire evidence, the court below came to the conclusion that petitioner-wife was entitled to a decree of divorce. During the pendency of proceedings, an application was moved by her seeking permanent alimony. Same was disposed off alongwith the petition seeking divorce. It was directed that respondent would pay ₹20 lacs as alimony, another sum of ₹20 lacs for marriage expenses of daughter and ₹10 lacs for education of the child. During the

course of hearing, we have been apprised that child has attained majority and studying in MBBS 1st year. Appellant does not assail the findings of the trial court as regards issues no 1 & 2. His only grievance is regarding the quantum of alimony which according to him is on the higher side. Concern of the respondent is also regarding the issue of permanent alimony.

Learned counsel for the appellant submits that appellant would be ready to remit an amount of ₹30.00 lacs as marriage expenses and education of the daughter within three months from today. He will file an affidavit to this effect in the registry within a week from today. As the concern of the appellant has been redressed, learned counsel for the appellant submits that he may be allowed to withdraw the present appeal.

In view of statement made by learned counsel for the appellant, present appeal is dismissed as withdrawn. However, decree under challenge is modified accordingly. Appellant shall file the aforesaid affidavit in the registry within a week from today.

(RAJAN GUPTA)
JUDGE

November 13, 2019

Ajay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No