

CM No. 12472-73-C of 2019 in/and
RSA No. 6006 of 2016 (O&M)

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

CM No. 12472-73-C of 2019 in/and
RSA No. 6006 of 2016 (O&M)
Date of Decision: 18.10.2019

Amarjeet Singh

-Appellant

Vs

Ramandeep Kaur and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Naveen Sharma, Advocate,
for the appellant.

Mr. Sanjeev K. Bawa, Advocate,
for the respondents.

RAJ MOHAN SINGH, J. (ORAL)

CM No. 12472-C of 2019

Prayer in this application is for preponing the date of hearing on the ground that suit for recovery of maintenance filed by respondents- Ramandeep Kaur and Navneet Kaur (minor daughter) was decreed by the trial Court vide judgment and decree dated 21.05.2015, against which an appeal was preferred by the appellant before the lower Appellate Court. The appeal was partly accepted and the decree of the trial Court was modified and the plaintiff was not held entitled to past maintenance for the period from 06.03.2008 to 22.02.2011,

rather they were held entitled for the maintenance from 22.02.2011 onwards.

Still feeling aggrieved against the judgment and decree passed by the lower Appellate Court, Amarjeet Singh filed the present appeal i.e. RSA No.6006 of 2006.

During pendency of the appeal, both the parties have started living together since 14.06.2019. CM No.12473-C of 2019 has been filed by the respondents on the ground that they want to withdraw the suit itself in order to show their bonafide and also to remove all doubts and misunderstanding between the parties to live in peace in the matrimonial house. Charge of maintenance has been created over the property of the appellant. Factum of compromise has been admitted by learned counsel for the appellant. Learned counsel prays for withdrawal of his appeal also on the ground that appellant and respondent No.1 have started living together as husband and wife in the matrimonial house and they are living peacefully.

Both the parties are present in Court and they have been duly identified by their respective counsel.

Both the parties are *ad idem* that the appeal be allowed to be withdrawn. Respondents also pray for withdrawal of the suit itself.

In the fitness of things, I find that this appeal can be

disposed of on the basis of compromise between the parties as they have started living together as husband and wife.

In view of above, the application is allowed. Date of hearing is preponed and the main case is taken up today.

Main case

Welfare of daughter aged about 12/13 years is also involved, therefore, it would be just and expedient to dispose of this appeal on the basis of compromise.

Liberty is also given to the parties to move an appropriate application for revival of appeal, if the understanding between the parties is found to be on some fraudulent note.

Disposed of.

18.10.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No