

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

**T.A. No. 1048 of 2017**

**DATE OF DECISION :- January 15, 2019**

**Upasana**

**...Applicant**

**Versus**

**Chander Mohan alias Pinki**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE H.S. MADAAN**

**Present:-** Mr. Deepak Arora, Advocate for the applicant.

Mr. Aayush Gupta, Advocate for the respondent.

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Applicant Upasana and respondent Chander Mohan alias Pinki are present in the Court.

Efforts for amicable settlement have been made which have proved to be fruitful. It has been agreed that on payment of a sum of Rs. 8 lacs by the respondent to the applicant as full and final settlement of her claim from her husband the respondent including for return of 'Istri Dhan' articles maintenance for past, present and future etc., the parties shall get their marriage dissolved by a decree of divorce by mutual consent. It has been settled that an application for amendment of petition under Section 13 of the Hindu Marriage Act pending in the trial Court to one under Section 13B for decree of divorce by mutual consent along with proposed amended petition under Section 13-B of the Hindu Marriage Act would be drafted by Sh. Deepak Arora, Advocate which would then be got approved from

learned counsel for the respondent Mr. Aayush Gupta, Advocate and then an application for amendment would be moved in the trial Court so as to get the petition under Section 13 of the Hindu Marriage Act converted into one under Section 13B of the Hindu Marriage Act. It is further settled that a sum of Rs. 4 lacs would be paid by the respondent to the petitioner in the form of bank draft in her favour at the time of recording of statements of petitioners in the trial Court on first motion. The remaining amount of Rs. 4 lacs would be paid in the similar manner after a period of six months at the time of recording of statement of petitioners in the trial Court on second motion. It has further been agreed that after recording of statement of the petitioners in the trial Court on first motion the parties will withdraw the cases filed by them against each other. It has been settled that both the parties shall remain bound by such statements and in case any one of them resile from such statement then such parties will render herself/himself liable for contempt proceedings before this Court.

In terms of the settlement, the present application for transfer of divorce petition has become infructuous and is disposed of accordingly.

**(H.S. MADAAN)**  
**JUDGE**

**January 15, 2019**

*p.singh*

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No