

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI

AND

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

I.A.No.2 of 2021

In/And

F.C.A.No.16 of 2020

COMMON JUDGMENT: (Per the Hon'ble the Chief Justice Hima Kohli)

1. I.A.No.2 of 2021 was adjourned on the last date of hearing to enable the parties to file their separate affidavits in support of the averments made in the application wherein, the parties have stated that they have arrived at a compromise in terms of the Memorandum of Settlement dated 31.03.2021 enclosed with the application.
2. The Memorandum of Settlement records that the respondent No.1/husband has agreed to pay a sum of Rs.12,00,000/- from 50% of his retirement benefits, which were in hold in O.P.No.879 of 2015, towards full and final settlement and marriage of the daughter of the parties. He has also agreed to pay a sum of Rs.8,000/- per month out of his monthly pension to the wife towards maintenance commencing from the date of execution of the settlement deed, on the condition that the wife will not be filing any application for enhancement of the maintenance before any Forum. The remaining terms and conditions of the settlement have also been set out in paragraphs 2 to 5 of the compromise deed.

3. A perusal of the compromise deed reveals that the thumb impressions of both the parties have been affixed on every page and the same has been duly witnessed. Separate affidavits filed subsequently in support of the averments made in the application have also been signed by both the parties. In view of the fact that the parties state that they have arrived at the aforesaid settlement of their own free will and volition and without any undue influence or coercion from any quarters, the same is taken on record. The parties shall remain bound by the terms and conditions of the settlement.

4. I.A.No.2 of 2021 is allowed and disposed of. As a result, the appeal also stands disposed of along with the pending applications, if any.

HIMA KOHLI, CJ

B. VIJAYSEN REDDY, J

08.06.2021
JSU