

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

CM-4729-CII-2021 in/and
FAO-62-M-2007 (O&M)

(Proceedings through V.C.)

Date of Decision: 25.05.2021

Sulakhan Singh

... Appellant

Versus

Smt. Jagdish Kaur

... Respondent

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. O.P. Sharma, Advocate for the applicant-appellant.

Mr. B.S. Bhalla, Advocate for the non-applicant-respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this application is for withdrawal of the main appeal, in the light of the compromise which has been entered into between the parties and further keeping in view the fact that in pursuance to the said compromise, the parties have acted thereon, especially, with regard to the filing of a petition under Section 13B of the Hindu Marriage Act, 1955, for grant of decree of divorce by mutual consent. In pursuance thereof, even the statements of the parties of first motion have been recorded by the Family Court, Moga on 25.11.2020 and the second motion statements are likely to be recorded on 26.05.2021. Along with the application are appended the certified copies of the statement of the appellant as well as the respondent dated 25.11.2020.

Notice of the application.

On the asking of Court, Mr. B.S. Bhalla, Advocate accepts notice on behalf of respondent. He, however, states that he has no instructions with regard to the above aspect of compromise and further action taken thereon. However, he states that in the light of what has been asserted in the application that the applicant-appellant wanting withdrawal of the appeal, he has no objection.

In the light of the above, the present application is allowed and the main appeal is taken on Board for consideration.

Disposed of as withdrawn, as prayed for.

It is clarified that the withdrawal of the present appeal will not in any manner come in the way of the petition which have been preferred by the parties for grant of decree of divorce by mutual consent under the Hindu Marriage Act, 1955.

(AUGUSTINE GEORGE MASIH)
JUDGE

May 25, 2021
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No