

**FAO-M No.48 of 2020 (O&M)
Date of decision : 06.01.2021**

Puneet Kumar

..... Appellant

versus

Pooja

..... Respondent

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Jai Bhagwan Sharma, Advocate
for the appellant.

Mr. Shiv Kumar, Advocate
for the respondent.

AJAY TEWARI, J. (Oral)

1 This appeal has been filed against the impugned order dated 26.02.2020 whereby the petition was filed by both the parties for dissolution of marriage by mutual consent has been dismissed due to non-appearance of appellant.

2 Counsel for the respondent states that the divorce petition under Section 13-B of the Hindu Marriage Act, 1955 could not proceed because the appellant was not ready with the money which he had to pay as agreed.

3 Counsel for the appellant has accepted this but states that if the appellant is given 2 months time, he will make the entire payment.

4 In the circumstances, in view of the agreement between the parties we set aside the impugned order, restore the divorce petition to its original number and fix the matter for 08.03.2021 before the Trial Court.

In case the appellant comes up with an amount of Rs.3.70 lakhs as per

the agreement, the parties may be allowed to record their second statement and the case be decided as per the same.

5 Appeal stands disposed of.

6 Since the main case has been decided, the pending Misc. Application(s), if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

06.01.2021

pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No