

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-1611-2016 (O&M)
Date of decision:12.11.2021

Dinesh Bansal

....Appellant

V/s.

Sonia Bansal

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Appellant in person with
Mr. Anubhav Bansal, Advocate.

Respondent in person with
Mr. Abhiraj Singh Baweja, Advocate.

Ritu Bahri, J. (Oral).

CM-12390-CII-2021

This is an application for preponing the date of hearing.

Keeping in view that the matter has been amicably resolved between the parties, application is allowed and the main case is taken up on Board today itself.

CM-12391-CII-2021

Keeping in view compromise dated 21.09.2021, application is allowed and the petition under Section 13 of Hindu Marriage Act, 1955 is converted to petition under Section 13-B of Hindu Marriage Act, 1955.

CM-12405-CII-2021

The brief facts of the case are that the marriage between the parties was solemnized on 20.04.2000 according to Hindu rites and

ceremonies at Maur Mandi, District Bathinda.

That after the marriage, parties cohabited together as husband and wife at Raman, Tehsil and District Bathinda. Two children were born out of the said wedlock. Appellant filed a petition under Section 13 of the Hindu Marriage Act in the year 2010 seeking divorce on the ground of cruelty which was dismissed vide judgment and decree dated 05.12.2015. Thereafter, he filed the instant appeal. However, during the pendency of the instant appeal, parties has entered into a compromise/settlement dated 21.09.2021 (Annexure C-X) whereby both the parties agreed to take divorce by way of mutual consent.

Both the parties are present in Court today alongwith their Aadhar cards and have been identified by their respective Advocates. Their separate statements have been recorded. Respondent states that compromise dated 21.09.2021 (Annexure C-X) has been effected between her and appellant-Dinesh Bansal. She has taken lump sum amount of Rs. 16 lacs as permanent alimony from the appellant as per the compromise dated 21.09.2021. She has received Rs. 8 lacs by way of demand draft No. 549085 dated 04.01.2021 and the remaining Rs. 8 lacs in cash has been received by her today. All the terms and conditions of compromise dated 21.09.2021 (Annexure C-X) have been duly complied with. Appellant has also made statement to this effect.

FAO-1611-2016

Keeping in view compromise dated 21.09.2021 (Annexure C-X) and the separate statements of the parties, judgment and decree dated 05.12.2015 passed by learned District Judge (Family Court), Barnala is set aside. Decree of divorce under Section 13-B of the Hindu Marriage Act,

1955 is granted to the parties. . Decree-sheet be drawn accordingly.

(RITU BAHRI)
JUDGE

12.11.2021
Divyanshi

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No