

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-259-2015 (O&M)

Date of decision:02.09.2021

Pardeep Kumar

....Appellant

V/s.

Geeta

....Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Vishal Garg, Advocate with
the appellant.

Mr. Ram Kumar Saini, Advocate with
the respondent.

Ritu Bahri, J. (Oral).

The appellant has come up in appeal against the order dated 27.02.2015 whereby petition under Section 13 of the Hindu Marriage Act, 1955 for dissolution of marriage by a decree of divorce has been dismissed.

The appellant-Pardeep Kumar is present in the chamber of his counsel Mr. Vishal Garg. On a specific query put to the appellant, he states that he has made payment of Rs.8,50,000/- to the respondent-Geeta. As per order dated 24.02.2020, the first payment of Rs.4,25,000/- is made on 24.02.2020 by handing over one demand draft bearing No. 057878 amounting to Rs.4 lacs issued in favour of the respondent-Geeta alongwith Rs.25,000/- in cash to learned counsel for the respondent. Thereafter, as per order dated 23.08.2021, second payment of Rs.4,25,000/- was received by the respondent. Respondent-Geeta is also present in the chamber of her counsel Mr. Ram Kumar Saini. She states that she has received the entire payment of Rs.8,50,000/- as stated by the appellant-Pardeep Kumar.

Aadhar card of the appellant is taken on record as Annexure A-1 and

Aadhar card of the respondent is also taken on record as Annexure A-2.

The respondent-Geeta had filed an affidavit dated 17.02.2020 stating that as per the order dated 21.01.2020, both the parties have entered into a compromise during the course of arguments and the appellant will pay Rs.8,50,000/- to her as full and final settlement between the parties. Further, she will not claim anything from the appellant in the future and also all litigation pending between both the parties will be withdrawn and no further litigation will be filed by either parties against each other or their family members. As per her affidavit, the second installment of Rs.4,25,000/- was to be made on 22.05.2020. She has stated today virtually that Rs.4,25,000/- has now been received on 23.08.2021 as per order dated 23.08.2021. The appellant-Pardeep Kumar had also filed affidavit dated 24.02.2020 that matter has now been compromised and Rs.8,50,000/- shall be paid by him.

Keeping in view the compromise effected and the statements made by both the parties, who are virtually present to attend the Court proceedings today and are being represented through their counsels, this Court while exercising its jurisdictional power is converting the petition filed under Section 13 of the Hindu Marriage Act, 1955 to Section 13-B of the Hindu Marriage Act, 1955. The same is allowed and the marriage between the parties is hereby dissolved by way of mutual consent. Decree-sheet be drawn accordingly.

Pending application (if any) stands disposed of.

(RITU BAHRI)
JUDGE

02.09.2021

Divyanshi

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/No

(ARCHANA PURI)
JUDGE