

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

251

**FAO No.633 of 2022(O&M)
Date of decision: 16.11.2022**

Komal

.... Appellant

Versus

Mahavir

.... Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Sudhir Rana, Advocate for the appellant.

Respondent in person with
Mr. Manoj Tanwar, Advocate for the respondent.

RITU BAHRI, J. (oral)

The present appeal has been filed against the judgment and decree dated 03.12.2021 passed by the learned Principal Judge, Family Court, Rewari whereby the petition filed by the appellant under Section 13 (1) (i) & (ia) of the Hindu Marriage Act, 1955 for dissolution of marriage, has been dismissed.

The parties solemnized marriage on 12.07.2007 according to Hindu rites and ceremonies at Village Luhana, Tehsil and District Rewari. Out of this wedlock, no child was born. On account of temperamental differences, they started living separately. Ultimately, a petition under Section 13(1) (i) & (ia) of Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act') for dissolution of marriage was filed and the same was dismissed vide judgment and decree dated 03.12.2021.

Today, respondent who is present in the Court along with his counsel has made a statement, which is reproduced as under:-

Statement of Mr. Mahavir Prashad s/o Jelaa Ram resident of Narel Khera (61), Manjui Khera, Sirsa, Haryana, 125054, Aadhar Card NO.2802 1434 9172, Mobile No.9671913433.

“Stated that I am a resident of the above-mentioned address. I have no objection, if, the present appeal is allowed in favour of the appellant-wife, only on the condition that appellant-Komal will not claim any permanent alimony (past, present and future maintenance) and the appellant will not file any criminal or civil case against the respondent-Mahavir in any Court of Law.”

Learned counsel for the appellant, on instructions from the appellant, stated that if she be granted divorce, she will not claim any permanent alimony (past, present and future maintenance) from the respondent-husband.

In view of the above statement recorded by the respondent, the present appeal is allowed and judgment and decree dated 03.12.2021 passed by the learned Principal Judge, Family Court, Rewari, is set aside. The marriage is dissolved as divorce is granted to the parties. Decree sheet be prepared accordingly.

Since the main appeal stands allowed, civil misc. applications, if any, shall also stand disposed of.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

November 16, 2022

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