

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

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FAO-1236-2022 (O&M)
Date of decision : 12.07.2022

Arunvir Dhanda

Appellant

V/S

Seema Sangwan

Respondent

**CORAM : HONBLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. R.S. Randhawa, Advocate
for the appellant.

Mr. Kanhiya Soni, Advocate for
Mr. Vivek Suri, Advocate
for the respondent.

RITU BAHRI, J. (ORAL)

The present appeal has been filed by the appellant-husband against the judgment and decree dated 15.02.2022 passed by the Principal Judge, Family Court, Panchkula whereby the petition under Section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955 (for short 'the Act') filed by the respondent-wife seeking dissolution of marriage on the ground of cruelty and desertion was allowed.

In the present case, the marriage between the parties was solemnized on 06.11.2011 as per Hindu rites and ceremonies at Bhiwani. Out of the wedlock one male child namely Aarush Dhanda was born on 31.10.2012. On account of temperamental differences, the parties could not pull along together and started living separately. The respondent-wife had filed petition under Section 13(1)(ia)(ib) of the Act for dissolution of marriage on the ground of cruelty and desertion which was allowed vide impugned judgment and decree dated 15.02.2022. Against the said judgment and decree, the appellant-husband has preferred the instant appeal.

Notice of motion in the present appeal was issued on 22.04.2022. On 10.05.2022, Mr. Swaran Sandhir, Advocate was

appointed as Mediator and the parties were directed to appear before the Mediator. As per the report dated 12.05.2022 of the Mediator, the parties have amicably settled their dispute. As per the settlement/compromise dated 12.05.2022, the parties are ready to dissolve their marriage under Section 13-B of the Act and agreed that the custody of the minor child shall remain with the respondent-wife. The parties had also filed joint application bearing No.CM-6903-CII-2022 for converting the present appeal to a petition under Section 13-B of the Act for grant of divorce by way of mutual consent. The said application was allowed by this Court on 02.06.2022 and statement of respondent-Seema Sangwan was also recorded on the said date.

Appellant-Arunvir Dhanda, who is present in Court today, has got recorded his statement.

Since, the statements of the parties have been recorded and they undertake to comply with all the conditions of settlement/compromise dated 12.05.2022, the present petition filed under Section 13-B of the Act for grant of divorce by way of mutual consent is allowed. The parties are granted divorce by way of mutual consent and the impugned order dated 15.02.2022, is hereby set aside.

Decree-sheet be prepared, accordingly.

(RITU BAHRI)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

12.07.2022

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Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No