

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-21-2021

Date of decision:27.10.2022

Balwinder Kaur

....Appellant

V/s.

Jaswinder Singh

....Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: Mr. Shashank Shekhar Sharma, Advocate with
the appellant.

Mr. Arjun Singh, Legal Aid Counsel with
the respondent.

Ritu Bahri, J. (Oral).

The appellant has come up in appeal against the order and decree dated 30.01.2020 passed by Additional District Judge, Chandigarh whereby her petition under Section 13 of the Hindu Marriage Act, 1955 for dissolution of marriage by a decree of divorce has been dismissed.

Parties are present in Court today and they have made their respective statements which are taken on record. As per the statement of the appellant, she states that she has settled the matter mutually and will never claim maintenance/property from the respondent after getting decree of divorce in future. She further states that she will not sell House No. 5726, Palsora Colony, Palsaura, Sector 55, Chandigarh-160055 to any third party during her life and after her death, the said house will go to her three children namely Gurpreet Kaur, Gurminder Singh and Sukhman Singh in equal shares. She is ready to give divorce to the respondent on her own free will and without any pressure or influence and will not file any criminal/civil proceedings before any Court of law. The respondent has also

made a statement to this effect.

Keeping in view the statements made by both the parties, who are physically present to attend the Court proceedings today and are being represented through their counsels, this Court while exercising its jurisdictional power is converting the instant appeal to a petition under Section 13-B of the Hindu Marriage Act, 1955. The same is allowed and the order and decree dated 30.01.2020 is set aside. The marriage between the parties is hereby dissolved by way of mutual consent. Decree-sheet be drawn accordingly.

(RITU BAHRI)
JUDGE

27.10.2022

Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No