

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-241-2008 (O&M)

Date of decision:29.04.2022

Baljinder Kaur

....Appellant

Vs.

Sohan Singh

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. S.S.Rangi, Advocate for the appellant.

Mr. P.S. Hundal, Advocate for the respondent.

Ritu Bahri, J. (Oral)

CM-4887-CII-2022

Application is allowed and compromise dated 24.03.2022

(Annexure A-1) is taken on record.

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The present appeal has been filed for setting aside judgment and decree dated 08.09.2008 passed by the Court of the Additional District Judge, Ludhiana whereby divorce was granted under Section 13 of the Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act, 1955').

The marriage between the parties was solemnized on 03.03.1992 at village Lakhonwal, Tehsil Samrala, District Ludhiana by way of Anand Karaj ceremony. Out of this wedlock, one female child namely Kulwant Kaur was born in July, 1994. A petition under Section 13 of the Act, 1955 for dissolution of marriage was filed before the Court of the Additional District Judge, Ludhiana on 26.07.2006 and the same was allowed vide judgment and decree dated 08.09.2008. However, with the intervention of friends and well wishers and in the interest of their daughter,

the parties have started to live together. They are present in Court today and gave their Aadhar Cards, copies of which are taken on record. On a specific query put to them, they submitted that they are living together as husband and wife alongwith their daughter. A compromise dated 24.03.2022 (Annexure A-1) effected between the parties, has been placed on record. Statements made by the parties are also taken on record.

Keeping in view the peculiar facts and circumstances of the case and since the parties are living together alongwith their daughter, this Court is of the view that it is never too late to mend ways and, therefore, the instant appeal is allowed and judgment and decree dated 08.09.2008 passed by the Court of the Additional District Judge, Ludhiana by which marriage of the parties was dissolved, is set aside.

(RITU BAHRI)
JUDGE

29.04.2022

Divyanshi

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No