

Narender Kumar Rana

.....Appellant

Vs.

Seema alias Shanu

....Respondent

**CORAM : HON'BLE MS.JUSTICE RITU BAHRI
HON'BLE MS.JUSTICE NIDHI GUPTA****Present:** Appellant in person with
Mr. Anupam Sharma, Advocate.Respondent in person with
Mr. Abhaysher Singh, Advocate and
Mr. Akashdeep Singh, Advocate.**RITU BAHRI, J. (Oral)**

Appellant-Narender Kumar, has come up in this appeal against the order dated 04.04.2013, whereby the petition under Section 13(1)(a) and 13(1)(1b) of the Hindu Marriage Act, filed by him for decree of divorce on the ground of cruelty and desertion had been dismissed.

In the present case vide order dated 01.06.2022, a joint petition under Section 13-B of the Hindu Marriage Act, 1955, for dissolution of marriage by way of a decree of divorce by mutual consent was taken on record as the matter had been amicably resolved between the parties with the assistance of Mr. Sachin Jain, Advocate as a Mediator.

As per the settlement/compromise dated 31.05.2022, the appellant had agreed to pay Rs.39 lakhs, i.e. 20 lakhs to minor son and Rs.19 lakhs to the respondent-wife towards permanent alimony which had accepted by the respondent-wife.

First statements of the parties were recorded on 04.07.2022 and a demand draft of Rs.20 lakhs was given to the wife on 04.07.2022 and Rs.50,000/- transferred to her online and the remaining amount was to be paid at the time of recording second statement.

Today even both the parties are present in Court today and they have got recorded their second statement and as per the second statement of respondent Seema alias Shanu, Rs.18,12,000/- through demand draft bearing no. 719324, dated 06.09.2022, has been accepted by her as final payment.

Learned counsel for the parties have clarified that amount of Rs.18,12,000/- and Rs.38,000/- as the part payment taken by her from the salary of the husband, has been adjusted.

Statement of appellant-Narinder Kumar Rana has been recorded to the same effect that he has paid Rs.18,12,000/- through demand draft bearing no.719324, dated 06.09.2022, to the respondent-wife as per the compromise deed dated 31.05.2022 and both the parties have stated that they will comply with all the conditions of compromise and withdraw all litigations pending as detailed in paragraph 5(c) of the settlement/ compromise deed.

In view of the aforesaid, the petition under Section 13-B of the Hindu Marriage Act, 1955, is allowed and the impugned judgement/decreed dated 04.04.2013, passed by the learned Additional District Judge, Rohtak, is hereby set aside.

Decree sheet be prepared accordingly.

(RITU BAHRI)
JUDGE

(NIDHI GUPTA)
JUDGE

September 12, 2022
dharamvir

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