

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

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CM-11994-95-CII-2019

IN/AND FAO-M-185-2010

Date of decision: 27.10.2022

Gurjit Kaur

..Appellant

Versus

Resham Singh

..Respondent

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

Present: Mr. Ashok Giri, Advocate for the appellant.
Mr. Ashish K. Gupta, Advocate for the respondent.

RITU BAHRI , J (Oral)
CM No.11994-CII of 2019

Application is allowed and the divorce petition filed under Section 13 of the Hindu Marriage Act, 1955, is converted into a petition under Section 13-B of the Hindu Marriage Act, 1955.

CM No.11995-CII of 2019 in/and FAO-M-185-2010

This application has been filed for dissolution of marriage by mutual consent.

This appeal has been filed for setting aside the impugned judgment and decree dated 04.11.2009 passed by the Additional District Judge, Jalandhar, whereby the petition filed by the appellant under Section 13 of the Hindu Marriage Act, 1955 (in short 'the Act'), has been dismissed.

The marriage between the parties was solemnized on 09.07.1975 at Jalandhar and out of the wedlock, two children were born. However, after marriage, respondent and his family members maltreated and harrassed the appellant for bringing less dowry. Thus, the appellant had filed the petition under Section 13 of the Act, which was dismissed by the trial Court vide impugned judgment and decree dated 04.11.2009.

Feeling aggrieved, the appellant has filed the instant appeal. However, during the pendency of the present appeal, the parties have amicably settled their dispute and decided to part ways mutually.

Statements of both the parties are recorded today itself.

Keeping in view the affidavit/compromise deed dated 23.05.2019 and 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. Accordingly, the application is allowed and the main case is taken on board today itself and the same is allowed and the marriage between the parties is hereby dissolved by way of mutual consent. Decree-sheet be drawn accordingly.

(RITU BAHRI)
JUDGE

(NIDHI GUPTA)
JUDGE

27.10.2022

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No