

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

248

FAO-265-2017 (O&M)

Date of decision: 24.11.2022

MANOJ KUMAR

.... Appellant

Versus

SANYOGITA

.... Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Appellant in person with
Mr. Anshul Baghla, Advocate for
Mr. Chanderhans yadav, Advocate.

Respondent in person with
Mr. Manish Mehta, Advocate.

RITU BAHRI, J. (oral)

The present appeal has been filed against the judgment and decree dated 06.12.2016 passed by the learned District Judge, Family Court, Gurgaon, whereby the petition filed by the appellant/husband under Section 13(1) (i) (ia) (ib) of the Hindu Marriage Act, 1955 for dissolution of marriage, has been dismissed.

The parties solemnized marriage on 29.4.2013 according to Hindu rites and ceremonies at Jalandhar. Out of this wedlock, no child was born. On account of temperamental differences, they started living separately. Ultimately, a petition under Section 13(1) (i) (ia) (ib) of Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act') for dissolution of marriage was filed and the same was dismissed vide judgment and decree dated 06.12.2016.

Today, both the parties are present in Court today with their counsels and their statements have been recorded to the effect that they have

no objection, if, the present appeal is converted into divorce petition under Section 13-B of the Hindu Marriage Act, 1955. They have compromised the matter in the Court. As per the statement of the parties, the appellant-husband is ready to deposit an amount of Rs.17,00,000/- towards permanent alimony (past, present and future maintenance), by way of two cheques i.e first cheque dt.24.11.2022 bearing No.756193 for Rs.8,00,000/-, and the other one is post dated i.e 04.12.2022 bearing No.756191 for Rs.9,00,000/-, in the account of respondent-wife. Copies of both the cheques are placed on record. The parties will not lodge/pursue any complaint or any other case against each-other in future.

Resultantly, the instant appeal suo motu is converted into Section 13-B of the Act and the same is allowed and judgment and decree dated 06.12.2016, the learned District Judge, Family Court, Gurgaon, is set aside. Divorce is granted to the parties, by way of mutual consent. However, the parties shall remain bound by the terms and conditions of the statements made by them in the Court today. Decree sheet be prepared accordingly.

Since the main appeal stands allowed, civil misc. applications, if any, shall also stand disposed of.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

November 24, 2022
Jyoti-IV

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