

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

FAO-5598-2017 (O&M)

Date of decision:- 31.05.2022

Gaurav

....Appellant

AND

Seema

...Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. N.S. Shekhawat, Sr. Advocate with
Mr. Sahil Gupta, Advocate
for the appellant.

Mr. Sunil Chadha, Sr. Advocate with
Mr. Manish Verma, Advocate,
for the respondent.

Ritu Bahri, J. (Oral)

C.M. No. 6964-CII-2021

Since, the matter stands compromised between the parties, as per mediation report dated 07.05.2022 (A-1), the present application to convert the main divorce petition under Section 13 of the Hindu Marriage Act, 1955 into a petition under Section 13-B of the Hindu Marriage Act, 1955 for dissolution of marriage by decree of divorce by mutual consent, is allowed.

FAO No. 5598-2017(O&M)

The present appeal has been filed against the judgment and decree dated 03.08.2017 passed by the learned District Judge, Family Court, Hisar, whereby petition filed by the respondent under Section 13 of the Hindu Marriage Act, 1955 for dissolution of marriage, was dismissed.

On 07.05.2022, this Court passed the following order:-

“The parties are present in Court today.

At the joint request of both the parties, this matter is referred to Mediation and Conciliation Centre of this Court.

Mr. Swaran Sandhir, Advocate is hereby appointed as Mediator and with his assistance the parties have resolved their dispute amicably. As per settlement/compromise, appellant will have to pay a sum of Rs.64,00,000/- in total as permanent alimony i.e. Rs.32,00,000/- to respondent-Seema as permanent alimony and maintenance and Rs.32,00,000/- for the future of minor daughter-Tanishka. The settlement/compromise dated 07.05.2022, so arrived at between the parties has been placed on record.

Adjourned to 31.05.2022, for filing joint application under Section-13 B of the Hindu Marriage Act, 1955, for grant of decree of divorce by way of mutual consent and to comply with the terms and conditions of the aforesaid settlement/compromise.”

Today, statements of the parties have been recorded to the effect that the matter stands compromised between the parties. The appellant has handed over two draft bearing Nos. 839177 dated 25.05.2022 and 018005 dated 27.05.2022 of Rs.16,00,000/- each to the respondent, who was present in the Court. Photocopy of the drafts are taken on record as Annexure A-1 and A-2. It has further been decided that the respondent will create F.D.R of Rs.32 lacs in favour of the daughter and the remaining Rs.32 lacs will be deposited by the appellant in her account through RTGS before 05.07.2022.

Resultantly, the instant petition filed under Section 13-B of the Act is allowed and judgment and decree dated 03.08.2017 passed by the learned District Judge, Family Court, Hisar 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 compromise dated 07.05.2022.
Decree sheet be prepared accordingly.

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

(RITU BAHRI)
JUDGE

31.05.2022
G Arora

(ASHOK KUMAR VERMA)
JUDGE

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