

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

FAO-M-135-2018

Date of decision 04.11.2022

RITESH YADAV

...Appellant

V/S

MUNESH

...Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS JUSTICE MANISHA BATRA**

Present: Both the parties in person.

Ritu Bahri, J. (oral)

The appellant has come up in appeal against the order dated 26.02.2018 whereby petition filed by the husband under Section 13-1(ia) of the Hindu Marriage Act, 1955 for dissolution of marriage by a decree of divorce has been dismissed.

Appellant-Ritesh Yadav is present in Court and handed over Rs.10,000/- (in cash) to the respondent-wife (Munesh) towards travelling expenses. Respondent-wife is present in Court along with her father. Both the parties are agreed to give divorce to each other.

The appellant-Ritesh Yadav and respondent-Munesh alongwith her father are present in Court today and statement of both parties has been recorded separately. As per the statement of the appellant, he has agreed to pay Rs.8 lakhs to respondent-wife as permanent alimony and undertakes to transfer the said amount through RTGS in the bank account of the respondent-wife within a week from today. Respondent-wife has agreed to accept the said amount and undertakes that she will not claim any other maintenance for herself

from the appellant-husband in future, statement to this effect has also been record.

Keeping in view the compromise effected and the statements made by both the parties, who are physically present to attend the Court proceedings today, this Court while exercising its jurisdictional powers and suo motu is converting the instant appeal into the petition under Section 13-B of the Hindu Marriage Act, 1955. The judgment and decree dated 26.02.2018 passed by the Additional District Judge, Rewari, is set aside. The instant petition is allowed and the marriage between the parties is hereby dissolved by way of mutual consent. Decree-sheet be drawn accordingly. However, it is made clear that in case appellant-husband failed to transfer the said amount within a week from today, the present order will be revived.

Pending application (if any) stands disposed of.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

04.11.2022
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No