

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

**FAO-M-194-2018 (O&M)  
Date of decision: 16.11.2022**

**SEEMA LUTHRA**

**.... Appellant**

**Versus**

**KAUSHIK LUTHRA**

**.... Respondent**

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

Present : Mr. Vaibhav Jain, Advocate for the appellant.

Mr. Manuj Nagrath, Advocate for the respondent.

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**RITU BAHRI, J. (oral)**

The present appeal has been filed against the judgment and decree dated 15.02.2018 passed by the learned Additional District Judge, Jalandhar, whereby the petition filed by the appellant under Section 13 of the Hindu Marriage Act, 1955 for dissolution of marriage, has been dismissed.

The parties solemnized marriage on 15.01.1995 according to Hindu rites and ceremonies at Jalandhar. Out of this wedlock, one male child namely, Chitraksh Luthra was born on 02.12.1995. On account of temperamental differences, they started living separately. Ultimately, a petition under Section 13 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 15.02.2018.

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 and the respondent-husband is ready to deposit an amount of Rs.2,00,000/-, in the bank account of their son-Chitrakh Luthra, bearing No.50100257095887 by way of RTGS, out of love and affection to the son. The appellant-wife stated that she will not claim any permanent alimony (past, present and future maintenance) from the respondent-husband. 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 15.02.2018 passed by the learned Additional District Judge, Jalandhar, 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 16, 2022

*Jyoti-IV*

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