

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

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**FAO-3494-2016 (O&M)
Date of decision: 23.11.2022**

SUKHWINDER SINGH

.... Appellant

Versus

PARAMJIT KAUR AND OTHERS

.... Respondents

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

Present : Appellant in person with
Mr. M.S.Batth, Advocate.

Respondent No.1 in person with
Mr. Sandeep K. Sharma, Advocate.

RITU BAHRI, J. (oral)

The present appeal has been filed against the order dated 09.02.2016 passed by the District Judge (Family Court), S.B.S. Nagar, whereby Rs.4000/- per month was granted to the respondent-wife and Rs.2500/- each per month to both the children and further created a first charge over the property of the appellant. Feeling aggrieved by the said order, the appellant filed the present appeal.

Today, on joint request of the counsel for the parties, the matter was referred to the Mediation and Conciliation Centre of this Court.

Mr. Sachin Jain, Advocate is hereby appointed as Mediator, who after interacting with the parties submits that the parties have amicably resolved their dispute and a compromise/agreement dated 23.11.2022 has been reduced into writing. The compromise/agreement is taken on record.

As per the compromise, the parties have mutually agreed to put an end to present and future litigation. It has been mutually agreed between the parties that they will seek divorce by filing a petition under Section 13-B of the Hindu Marriage Act. The appellant-husband has agreed to transfer 8 kanals of land in favour of the son-Sharanpreet Singh, 6 kanals of land in favour of respondent-wife-Paramjit Kaur and 6 kanals in the name of Gurleen Kaur (minor daughter). After transfer of the land, the respondents can get a tubewell connection along with electricity connection on their own. The appellant has agreed to allow the respondents to have the benefit of water of irrigation for three months after transfer of land i.e till 31.07.2023. The appellant has also agreed to pay a sum of Rs.4,00,000/-, to the respondents as permanent alimony (past, present and future), out of which Rs.1,50,000/- will be paid at the time of recording of first motion statement to be recorded and Rs.2,50,000/- at the time of second motion statement. The respondents will not claim any share in the property of the appellant after this settlement/agreement as they have been given their due share in the property (either ancestral or personal) and further they will not claim anything in the moveable property of the appellant.

Since the parties have amicably resolved their dispute, the present appeal filed by the appellant against the order dated 09.02.2016 whereby the suit for recovery of Rs.10,00,000/- from him as maintenance had been partly allowed and the charge had been created over the property owned by the appellant and charge would travel with the property. It was further observed that it will be incorporated in the jamabandi so that anybody purchasing the property be aware of this charge.

As the matter has been settled, the order dated 09.02.2016 is being modified to the extent that the charge on the property is being vacated and parties are bound by the terms and conditions of the aforesaid settlement/agreement. Parties will file petition under Section 13-B of the Hindu Marriage Act at Family Court, S.B.S. Nagar on or before 15.12.2022.

With these observations, the present appeal is disposed of.
Pending applications, if any, shall also stands disposed of.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

23.11. 2022
Jyoti-IV

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