

***CM-2489-CII-2022 in/and
FAO-M-333-2018 (O&M)***

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CM-2489-CII-2022 in/and
FAO-M-333-2018 (O&M)

Date of decision: 14.03.2022

Maya Rani

..... Appellant

Versus

Sukhpal Singh

..... Respondent

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

PRESENT: Appellant-Maya Rani, in person
along with her minor daughter-Prabhjot, with
Mr. R.S. Sidhu, Advocate.

Respondent-Sukhpal Singh, in person with
Mr. Rishav Jain, Advocate.

RITU BAHRI, J. (ORAL)

Appellant-Maya Rani, has come up in this appeal against the judgment and decree dated 01.11.2018, passed by the learned Additional District Judge, Sangrur, whereby the petition under Section 13 of the Hindu Marriage Act, 1955, (for short-'the Act'), filed by the respondent-husband for dissolution of marriage by a decree of divorce was allowed.

In the present case, marriage between the parties was solemnized on 21.07.2013 by way of Anand Karaj Ceremony at Village Madnipur, Tehsil Payal, District Ludhiana. They have resided together up to 27.04.2015. One female child-Prabhjot, was born to them on

28.12.2014. After, 2015, the marriage did not work and they started living separately since, April, 2015. A petition under Section 13 of the Act, for grant of decree of divorce on the grounds of cruelty and adultery was filed by the respondent. The same was allowed by the learned Additional District Judge, Sangrur, vide judgment and decree dated 01.11.2018. Against the said judgment and decree, the appellant-wife has preferred the instant appeal. Notice of motion in the instant appeal was issued on 22.11.2018 and thereafter, the parties were referred to the Mediation and Conciliation Center of this Court vide order dated 05.07.2019. However, the mediation has failed.

Now, the parties have again reconciled and they have resolved their dispute by an amicable settlement with the intervention of this Court and the appellant-husband has agreed to pay Rs.12,50,000/- as full and final settlement towards permanent alimony to the respondent-wife and to secure the future of minor daughter-Prabhjot. It is agreed between the parties that out of the aforesaid amount of Rs.12,50,000/-, respondent will transfer Rs.4,50,000/- in the bank account of appellant-wife and for rest of the amount of Rs.8,00,000/- he will deposit the same in the shape of FDR in the name of minor child-Prabhjot in some nationalized bank fetching maximum rate of interest. First motion statements of the parties was recorded on 07.03.2022.

The parties have also filed a joint petition under Section 13-B of the Act vide CM-2489-CII-2022, for dissolution marriage by way of mutual consent.

The parties are present in Court today and their second

motion statements have also been recorded. The respondent has transferred the total amount of Rs.12,50,000/- through RTGS on 09.03.2022, in the account of appellant. Further, appellant has created FDR of Rs.8,00,000/- in favour of minor child-Prabhjot vide cheque No. 000027 dated 11.03.2022, which is under process and it is stated by both the parties that they will withdraw all the pending cases, if any, filed by them against each other and will not file any case, in future.

Since, the statements of the parties have been recorded, nothing remains due and they have also complied with all the conditions for application under Section 13-B of the Act, the present appeal as well as joint petition (CM-2489-CII-2022) for grant of divorce by way of mutual consent, are allowed. The parties are granted divorce by way of mutual consent and the impugned order dated 01.11.2018, is hereby set aside.

Decree-sheet be prepared, accordingly.

Since, the main appeal has been allowed, therefore, all the pending miscellaneous applications, if any, also stand disposed of.

Appellant-wife shall furnish the copy of FDR in the name of minor daughter-Prabhjot in the Registry of this Court, within a period of one month.

(RITU BAHRI)
JUDGE

March 14, 2022
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No