

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1. FAO-7232-2019 (O&M)

Aarti Verma

..... Appellant

Versus

Naveen Kumar

..... Respondent

2. FAO-1332-2020 (O&M)

Naveen Kumar

..... Appellant

Versus

Arti Verma

..... Respondent

Date of decision: 09.03.2022

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

PRESENT: Appellant-Aarti Verma in person with
Mr. Samama Suhail and Mr. Sachin Kaushik, Advocates.

Respondent-Naveen Kumar in person with
Mr. Amit Alok, Advocate.

RITU BAHRI, J. (ORAL)

By this common order, above-mentioned two appeals are being disposed of. For brevity, the facts are being extracted from FAO-7232-2019.

The appellant has come up in this appeal against the order dated 01.11.2019, passed by the Family Court, Jhajjar, whereby her

application under Section 24 of the Hindu Marriage Act, 1955 (for short-'the Act') was disposed of, directing the respondent husband to pay interim maintenance of Rs.2500/- per month for the appellant wife and Rs.2000/- per month for the minor child.

On 10.01.2022, when this case was listed for hearing, learned counsel for the respondent stated that the dispute has been resolved between the parties as the appellant has agreed to accept Rs.11,00,000/- as one time settlement and the matter was adjourned to finalize the terms of compromise and filing of joint petition under Section 13-B of the Act.

Today, the parties are present in Court. A joint petition under Section 13-B of the Act, for dissolution of marriage by way of mutual consent has been filed in Court today. The same is taken on record. Registry shall assign number to this petition, in accordance with law. The respondent-husband has handed over two demand draft Nos. 160377 and 160378 dated 22.02.2022 amounting to Rs.9,00,000/- and Rs.2,00,000/-, respectively, in total Rs.11,00,000/- as agreed between the parties, to the appellant-wife in Court today. Photocopy of the demand drafts is taken on record as Annexure A-1.

As per the terms and conditions mentioned in the joint petition, after receiving the aforesaid amount, appellant-wife will withdraw all the cases filed by her against the respondent-husband pending in the Courts at Delhi, Bahadurgarh, etc.

Learned counsel for both the parties state that the parties are

bound by the terms and conditions mentioned in the joint petition under Section 13-B of the Act. Statements of the parties in this regard have also been recorded and they have been duly identified by their respective counsel as well. Statements of the parties as well as self attested copies of Aadhar Cards of both the parties are taken on record.

Learned counsel for appellant-Aarti Verma, stated that after withdrawing all the cases he will file a compliance report in this regard, in the Registry of this Court.

In the present case, marriage between the parties was solemnized on 18.05.2013 as per Hindu Rites and Ceremonies. One male child, namely; Tejas Verma, was born on 13.05.2014 out of this wedlock. Due to matrimonial discord, the parties are living separately from each other since, 2014. During the pendency of the appeals, the parties have resolved their dispute by way of an amicable settlement.

Since, the marriage took place in the year 2013 and the parties are living separately for the last 7 years. The entire payment as settled between them has been paid by the respondent to the appellant. Only first motion statements which are recorded today in Court, would be sufficient to grant decree of divorce.

In view of the above, the joint petition under Section 13 B of the Act is allowed. Parties are granted divorce by way of mutual consent. Consequently, both the appeals i.e. FAO-7232-2019 and FAO-1332-2020, also stand disposed of and the impugned order dated 01.11.2019 (in both appeals), is hereby set aside.

Decree-sheet be prepared, accordingly.

Since, both the main appeals are disposed of, therefore, all the pending miscellaneous application(s), if any, also stand disposed of.

It is expected that both the parties who are educated parents will give opportunity to the child to get to know both the parents in a very positive environment.

(RITU BAHRI)
JUDGE

March 09, 2022
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No