

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No. 1179 of 2019(O&M)

Date of Decision:14.03.2023

Simple @ Kavita

.....Appellant

Versus

Surender Pathak

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

HON'BLE MRS. JUSTICE RITU TAGORE

Present: Ms. Anita Balyan, Advocate
for the appellant.

Mr. N.K.Malhotra, Advocate
for the respondent.

LISA GILL, J(Oral).

This appeal has been filed by the appellant-wife, challenging decision dated 25.01.2018, passed by learned Family Court, Rohtak, whereby petition under Section 13 of the Hindu Marriage Act, filed by the respondent-husband has been allowed.

Learned counsel for the respondent submits that parties have entered into a compromise, with terms and conditions thereof being reduced in writing in MNT No. 117 of 2018 on 01.02.2023 before the learned Family Court, Rohtak. Joint statements of the parties in respect to the compromise were recorded. Photocopy of compromise Ex.C-1, stated to be on record of MNT No. 117 of 2018, filed in Court today, is taken on record subject to just exceptions.

It is submitted that a sum of Rs. 2,00,000/- has been given as full and final settlement to the appellant-wife as well as minor child *qua* all their claims including that of permanent alimony, maintenance etc.

Appellant, it is stated had agreed to withdraw the present appeal as per the settlement.

Learned counsel for the appellant submits that despite best efforts on her part, she has been unable to contact the appellant, who has also not come forward to contact her, thus she has no instructions.

Keeping in view the facts and circumstances above, we do not find any ground for continuance of the present proceedings. Appeal is dismissed for non-prosecution, at this stage. However, liberty is afforded to the appellant to move appropriate application for revival of the appeal in case any incorrect fact has been placed before us within the next four weeks.

Copy of this order be communicated at the given address of the appellant in the memo of parties.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

March 14, 2023.

s.khan

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.