

2023:PHHC:119600

**247/2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR(F)-37-2018

Date of Decision: 12.09.2023

BRAJESH GUPTA

... PETITIONER

VS.

Dr. SANGEETA GUPTA AND ORS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. R.S.Dadwal, Advocate for
Ms. Koshima Arora Gumber, Advocate
for the petitioner.

Mr. Swapnil Bansal, Advocate for
Mr. Keshav Pratap Singh, Advocate
for the respondent(s).

VIVEK PURI, J.(ORAL)

1. The petitioner has assailed the order dated 12.09.2017 passed by the learned Family Court vide which maintenance @ Rs.10,000/- each has been awarded in favour of respondents No. 2 and 3.

2. Learned counsel for the respondent(s) submits that the matrimonial dispute has been amicably settled between the parties in terms of memorandum of understanding. A sum of Rs.40,50,000/- has been agreed to be paid on account of permanent alimony by the petitioner to the respondent(s). A sum of Rs.18 lac has already been paid and a petition under Section 13-B of the Hindu marriage Act for dissolution of marriage by mutual consent has also been instituted. The balance amount is to be paid when the statement of petitioner and respondent No.1 is recorded at the stage of second motion. Consequently, the controversy in the present petition does not survive.

3. Learned counsel for the petitioner submits that though he is not having instructions with regard to compromise but in view of the categorical

submission made by learned counsel for the respondent(s), the present petition may be dismissed as withdrawn and liberty may be granted to the petitioner to seek revival of the petition in the event the assertions as put forth by the learned counsel for the respondent(s) are found to be factually incorrect.

4. Dismissed as withdrawn.
5. However, the petitioner is granted liberty to seek revival of the petition within a period of three months in the event the assertions as put forth by learned counsel for the respondent(s) are found to be factually incorrect.

12.09.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No