

FAO-M-27-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-27-2023 (O&M)

Date of decision: December 01, 2023

Sukhwinder Kaur

....Appellant

versus

Randhir Singh Randhawa

....Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE SUMEET GOEL**

Present:- Mr. D.R. Punia, Advocate for appellant.

Mr. Sunil Kumar Pandey, Advocate for respondent.

SUDHIR SINGH, J. (ORAL)

CM-14651-CII-2023

For the reasons stated in application, same is allowed, subject to all just exceptions. Delay of 3619 days in filing the appeal is condoned.

Main case (O&M)

Appeal herein is against the impugned judgment/ decree dated 01.06.2013 passed by the Additional District Judge, Jalandhar whereby petition under Section 13 of the Hindu Marriage Act, 1995 (for short 'Act') filed by respondent/ husband for dissolution of marriage by way of a decree of divorce was allowed *ex parte* and marriage solemnized between the parties was ordered to be dissolved.

2. Learned counsel for appellant/ wife submits that marriage between the appellant and respondent was solemnized on 19.02.2000 at Patiala and out of the said wedlock, two daughters, namely, Navdeep Kaur, Babandeep Kaur and one son, namely, Jaskarandeep Singh were born. He further submits that after

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passing of decree of divorce granted by the learned Court below vide impugned judgment/ decree, the parties have entered into a compromise and have started living together. An affidavit/ compromise dated 10/12.07.2023 of respondent/ husband has also been placed on record, in this regard.

3. On the other hand, learned counsel for respondent/ husband admits the factum of aforesaid compromise effected between the parties.

4. We have heard learned counsel for the parties and perused the case file.

5. Concededly, marriage between the parties was solemnized on 19.02.2000 at Patiala and out of the said wedlock, two daughters and one son were born. After passing of impugned judgment/ decree of divorce, parties have settled the dispute with the intervention of relatives and friends and they have started cohabiting together again along with children. An affidavit/ compromise dated 10/12.07.2023 of respondent/ husband has also been placed on record.

Following are the terms of the said compromise:

- “1. That the deponent was married to Sukhwinder Kaur on 19.2.2000 at Patiala according to Sikh Rights and out of the wedlock two daughters namely Navdeep Kaur (DOB 1.7.2004, Babandeep Kaur DOB 24.9.2005 and one son namely Jaskarandeep Singh DOB 17.2.2007) was born.
2. That due to differences between the deponent and his wife petition u/s 13 of the Hindu Marriage Act was filed by the deponent before the District Judge Jalandhar and the same was allowed vide judgment and decree dated 1.6.2013.
3. That the deponent and his wife namely Sukhwinder Kaur alongwith their three children are now residing together under one roof and all the differences have been set aside due to the intervention of the relatives and friends and keeping in view the future of the children and are residing together since 2018.
4. That the deponent has no objection in the judgment and decree dated 1.6.2013 is set aside as the deponent alongwith his wife and children are living happily.”

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6. Considering the same, present appeal is allowed for the ends of justice. Impugned judgment/ decree dated 01.06.2013 is set aside. The parties are directed to abide by the terms and conditions of the aforesaid compromise arrived at between them.
7. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(SUMEET GOEL)
JUDGE

December 01, 2023
mahavir

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