

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-3397-C-2023 and
RSA-1908-2022
Date of Decision :11.04.2023

Iftsham Mohd ...Appellant

versus

ImranFarooquiRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Ghulam Nabi Malik, Advocate for the appellant.

B.S. Walia, J. (Oral)

CM-3397-C-2023

Prayer in the application is for preponement of date of hearing
of the main case.

For the reasons as are mentioned in the application, the same
is allowed and date of hearing of the main case is preponed from
12.07.2023 to today itself.

RSA-1908-2022

1. Challenge in the instant regular second appeal is to judgment
and decree dated 20.07.2022 passed by the learned Additional District
Judge, Sangrur dismissing the appeal filed by the plaintiff-appellant and
upholding the judgment and decree dated 07.07.2018 passed by the
learned Civil Judge (Jr. Division), Malerkotla dismissing the suit filed by
the plaintiff-appellant for dissolution of marriage.

2. Vide order dated 21.09.2022, in view of request made by

RSA-1908-2022 (2)

learned counsel for the parties, the matter was referred to the Mediation and Conciliation Centre of this Court.

3. Learned counsel for the appellant contends that as per report dated 23.11.2022 submitted by Ms.Poonam Verma,learned Mediator, parties have settled their dispute by amicable settlement as evident from settlement agreement dated 23.11.2022 and that in the circumstances, the appeal be disposed of by setting aside the judgment and decree of the Courts below and allowing the suit as per the terms and conditions of the settlement.

4. I have considered the submissions of learned counsel. Admittedly, the matter has been amicably resolved as is evident from the settlement. Accordingly, in view of the settlement agreement dated 23.11.2022 executed between the parties before the learned Mediator, the appeal is allowed in terms of para No.6 (ii) of the settlement. Judgment and decree passed by the Courts below is set aside and the marriage between the parties is dissolved under Section 2 of the Dissolution of Muslims Marriage Act, 1939, by allowing the suit filed by the appellant. Parties are held bound by the terms and conditions of the settlement agreement.

5. Appeal allowed in the aforementioned terms.

(B.S. Walia)
Judge

11.04.2023
ps