

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO-7174-2019 (O&M)

Date of Decision: April 10, 2023

Raj Kumari

..... Appellant

Versus

Malkit Ram

..... Respondent

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Ms. Sarika Gupta, Advocate for the appellant.

Mr. Sarju Puri, Advocate for the respondent.

LISA GILL, J.

This appeal has been filed by the appellant – wife challenging order dated 01.11.2019 passed by the learned Family Court, Shaheed Bhagat Singh Nagar whereby her application under Order 9 Rule 13 CPC for setting aside exparte order dated 31.05.2017 was dismissed as well as judgment and decree dated 01.07.2017 passed by the learned District Judge (Family Court), Shaheed Bhagat Singh Nagar, whereby petition under Section 13 of the Hindu Marriage Act, 1955 filed by respondent – husband was allowed.

Learned counsel for the parties submit that during pendency of this appeal, matter was placed before the Mediation and Conciliation Centre of this Court and parties have amicably resolved the matter with the terms and conditions being reduced in writing. Settlement/agreement dated 27.01.2023 is taken on record subject to just exceptions.

Learned counsel for the parties submit that though it is mentioned in Settlement/agreement dated 27.01.2023 that petition under

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Section 13B of the Hindu Marriage Act shall be filed, appellant seeks to withdraw the present appeal and accept judgment and decree dated 01.07.2017, whereby divorce has been granted to the respondent.

Appellant, duly identified by her counsel, present in Court, reiterates the settlement arrived at between the parties and states that in view thereof, she seeks to withdraw this appeal. Statement of the appellant to this effect has been recorded separately.

Accordingly, present appeal is dismissed as withdrawn.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

April 10, 2023

rts

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