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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of decision: 12.07.2023

+ **MAT.APP.(F.C.) 129/2022 & CM APPL. 38351/2022**

SHRI ROHIT CHHABRA Appellant
Through: Mr. S.C. Singhal and Mr. Girdhari Singh, Advocates.
Appellant in person

versus

NISHALA CHHABRA Respondent
Through: Mr. Mandeep Kumar Sharma, Advocate through V.C
Respondent in person

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. The appellant in his present appeal has made following prayer:

“ That the present appeal be allowed and the impugned Order dated 02.07.2022 passed by the Court of Shri Vipin Kumar Rai, Judge Family Court, Dwarka Courts, New Delhi thereby granting maintenance of Rs. 20,000/- per month in addition to Rs. 10,000/- per month granted by Mahila Court as rent compensation be set aside and the application of the respondent under Section 24 of the Hindu Marriage Act be dismissed.”

2. The appellant alongwith his father, Mr. Praveen Chhabra and learned counsels, Mr. S.C. Singhal and Mr. Girdhari Singh are present in court.

3. The respondent is present in person alongwith her counsel, Mr.



Mandeep Kumar Sharma, who has joined through V.C.

4. After interaction and counselling done in the open Court, the parties have voluntarily and without any coercion have agreed to mutually settle their disputes in following terms.

a) The appellant shall pay a sum of Rs. 50,00,000/- towards full and final settlement of all the disputes between the parties including the claim of the respondent for past, present and future alimony.

b) It is agreed that the parties shall take divorce by mutual consent and the First Motion Petition shall be filed by them within 15 days from today. Rs. 20,00,000/- shall be paid by the appellant to the respondent at the time of recording of statement in the First Motion.

c) That the respondent shall withdraw her case under Protection of Women from Domestic Violence Act, 2005 within one week thereafter. The appellant shall pay a sum of Rs. 10,00,000/- at the time of withdrawal of said petition.

d) The parties shall file Second Motion for divorce within 15 days of the First Motion alongwith appropriate applications for seeking waiver. The appellant shall pay Rs. 10,00,000/- to the respondent at the time of recording of statement in the Second Motion.

e) The parties shall file a petition for quashing of F.I.R No. 427/2016 registered with Police Station Malviya Nagar, Delhi under Sections 406, 498A read with Section 34 of the Indian Penal Code against the appellant and his family members



within one week of the orders in the Second Motion granting divorce by mutual consent. The appellant shall pay the remaining balance amount of Rs. 10,00,000/- to the respondents, at the time of quashing of F.I.R.

f) The parties undertake that they shall be bound by the settlement and both the parties shall cooperate for moving the applications and for making their respective statements.

5. The parties undertake to be bound by the terms of the settlement and in case of any violation, they shall be liable for action under Contempt of Courts Act, 1971.

6. Furthermore, it is hereby clarified that if the settlement does not get materialized, then the respondent shall be liable to return the money that she may have received till then from the appellant. Moreover, the parties shall be at liberty to revive their respective litigations in case the settlement does not finalise.

7. In view of the settlement between the parties, the appeal is disposed of along with pending applications, if any.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

JULY 12, 2023/PA