IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/FIRST APPEAL NO. 2756 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2019
In R/FIRST APPEAL NO. 2756 of 2019
With
CIVIL APPLICATION (DIRECTION) NO. 1 of 2024
In R/FIRST APPEAL NO. 2756 of 2019
With
R/FIRST APPEAL NO. 2757 of 2019
With
CIVIL APPLICATION (DIRECTION) NO. 1 of 2024
In R/FIRST APPEAL NO. 2757 of 2019
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2019
In R/FIRST APPEAL NO. 2757 of 2019

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SAROJ W/O JITENDRA MAHIPALSINH YADAV AND D/O KAILASH YADAV
Versus
JITENDRA MAHIPALSINH YADAV

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Appearance:
MR JEETENDRA V AMIN(9852) for the Appellant(s) No. 1
MR. R. K. RAJPUT(6988) for the Appellant(s) No. 1
ANGESH A PANCHAL(9138) for the Defendant(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE BIREN VAISHNAV
and
HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 15/02/2024

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE BIREN VAISHNAV)

1. First Appeal No.2756 of 2019 has been filed by the wife on being aggrieved by rejection her application filed under Section 9 of the Hindu Marriage Act for obtaining a decree of restitution of conjugal rights.

First Appeal No.2757 of 2019 has been filed by the wife on being aggrieved and dissatisfied by the judgment and decree of the Family Court, by which, the Family Suit No.390 of 2016

instituted by the respondent- husband under Section 13(1) of the Hindu Marriage Act for obtaining decree of divorce was granted.

2. Today, when the matters are taken up for hearing with Civil Applications, it appears that the parties have entered into a settlement, which are placed on record in both the Civil Applications in the respective First Appeals. On perusal of the settlement indicates that it is agreed between the parties that the respondent-husband has paid an amount of Rs.30 lakhs as permanent alimony and in light of the payment of such alimony, in terms of the settlement, particularly para 6.5 thereof, the appellant does not want to pursue her appeals. Learned counsels Mr. Panchal and Mr. R K Rajput confirm the settlement between the parties. They have produced the relevant identities of the parties. Having perused the settlement annexed with the Civil Applications, and in light of the settlement arrived at the parties agree that they will abide by the terms of settlement arrived at between the parties vide deed dated 12.2.2024. In light of the settlement so arrived at and an agreement that the parties will act in accordance therewith. First Appeals are permitted to withdrawn by the present appellant. Present First Appeals stand disposed of as withdrawn.

In view of disposal of First Appeals, connected Civil Applications also stand disposed of.

(BIREN VAISHNAV, J)

(NISHA M. THAKORE,J)

RATHOD KAUSHIKSINH