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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-2230-2020 (O&M)
Date of decision: 21.08.2024

HARPREET KAUR WALIA

...Appellant

Versus

MANMEET SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

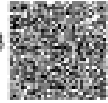
Present: Mr. Ish Puneet Singh, Advocate
for the appellant.

Mr. J.S. Lalli, Advocate
for the respondent.

SURESHWAR THAKUR, J. (ORAL)

1. The instant appeal is directed against the judgment and decree, which was passed by the learned Family Court concerned, upon Hindu Marriage petition bearing HMA-615 of 2017, thereby segregating the marital ties between the parties. The said petition was instituted by the respondent herein, wherein, he claimed the making of a decree, for thus segregating his marital ties, with his spouse one Harpreet Kaur Walia, rather on the ground of desertion and cruelty.

2. However, during the pendency of the instant appeal before this Court, it appears that an amicable settlement, has occurred amongst the parties at lis. Consequently, they have made their respective statements before this Court. As such, they claim that the judgment and decree passed

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by the Family Court concerned, be upheld and maintained. Both the appellant and the respondent have made their respective testifications on oath, and, the same are reproduced hereinafter.

“Statement of Harpreet Kaur Walia daughter of Tejinder Singh (wife of Manmeet Singh), resident of House No.323, Phase-I, Urban Estate, Dugri, Ludhiana.

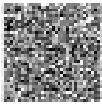
On S.A.

Stated that I shall withdraw the instant appeal directed against the judgment and decree dated 19.02.2020, whereby my marital ties with my husband-respondent in the instant proceedings was dissolved. However, the said is subject to my husband drawing a sum of Rs.30 lacs each in the shape of FDRs in the name of both the children namely Swaraj Singh (son) and Shubhreet Kaur (daughter). However, the interest accrued thereons may be permitted to be released in my favour as I am their mother and natural guardian for their maintenance and upkeep. Further, subject to my husband paying to me a sum of Rs. 7 lacs along with original FDRs and insurance policies within one month.

I undertake to withdraw all other cases which have been instituted by me against my husband or his family members. In addition, my husband shall continue to pay the premium amount towards the LIC No.132291663 dated 28.03.2007 which is in my name, and another LIC No.132873009 dated 09.03.2009, which is in the name of my minor daughter Shubhreet Kaur. Furthermore, on the said insurance policies attaining maturity, thereupon there shall be no objection on the part of my husband to get the matured sums released either in my favour or in the favour of my daughter. I also forego all the arrears of maintenance assessed by any Court of law. The findings of the Family Court be expurgated. I further state that the instant appeal be disposed of accordingly.

Statement of Manmeet Singh son of Jasjeet Singh, resident of 16th Building Area, 7th Building, Ground Floor, G-3, Fujairah, UAE; second address House No.109, Ranjit Nagar, Jalandhar.

On S.A.



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Stated that I have heard the statement of my wife-appellant in the instant appeal. I pray that in terms of the said statement, the instant appeal be permitted to be withdrawn, and the judgment and decree dated 19.02.2020, whereby the marital ties inter se me and my wife are dissolved be affirmed and upheld. I undertake that all the conditions mentioned in the said recorded statement today before this Court by my wife shall be abided by me. The findings of the Family Court be expurgated.”

3. In terms of the said made statements before this Court, this Court proceeds to maintain and uphold the decree of divorce as granted by the Family Court concerned. All other terms and conditions as occur in the respectively made statements, on oath shall be abided, by the parties at contest.
4. The present appeal is accordingly disposed of and a decree sheet be drawn in terms of the statements made by the parties at lis. The Registry is directed to accordingly prepare the modified decree sheet. The statements of the parties be made part of the decree sheet. In case, the said sums of money are not liquidated by the respondent-husband to his spouse, thereupons he shall make himself amenable for his being prosecuted for perjury.
5. Pending miscellaneous application(s), if any, stand(s), disposed of.

(SURESHWAR THAKUR)
JUDGE

21.08.2024
Ithlesh

(SUDEEPTI SHARMA)
JUDGE