

FAO-M-307-2018 (O&M)

226

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-M-307-2018 (O&M)

Date of decision: February 29, 2024

Narinder Kaur

....Appellant

versus

Jatinder Singh

....Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE HARSH BUNGER**

Present:- Appellant in person with
Mr. Nandan Jindal, Advocate.

Mr. Sapan Dhir, Advocate for respondent.

SUDHIR SINGH, J. (ORAL)

Appeal herein, *inter alia*, is for setting aside judgment and decree dated 01.09.2018 passed by learned Additional District Judge, Sangrur, whereby petition under Section 13 of the Hindu Marriage Act, 1955 seeking a decree of divorce filed by respondent/ husband was allowed and marriage between the parties was dissolved from the date of decree.

2. During the pendency of the appeal, matter was referred to the Mediation and Conciliation Centre of this Court. Vide settlement/ compromise dated 01.02.2023, matter has been settled between the parties. In para-6 of the settlement/ compromise *ibid*, following terms and conditions have been mentioned:-

- “a) It is agreed between the parties that as per the compromise, the second party has agreed to pay a sum of Rs.28,50,000/- (Rupees Twenty Eight Lacs and Fifty Thousand only) to the first party towards full and final settlement for all the claims of the first party and Kimkaran Singh. Apart from this amount, there shall be no further claim of any kind of the first party and Kimkaran Singh apart from the abovesiad amount of Rs.28.50 Lacs against the second party as well as his other legal heirs.
- b) It is further agreed between the parties that the second party will make the payment of Rs.28.50 Lacs to the first party on or before 01.05.2023 and it has also been agreed that till the complete payment of Rs.28.50 Lacs is paid by the second party to the first party, the first party alongwith Kimkaran Singh will stay in the house situated in Village

- Bhalwan, where she stays at present and upon the complete payment, the first party alongwith her minor son Kimkaran Singh will immediately vacate the said house and handover the vacant possession thereof to the second party.*
- c) It is further agreed that the first party as well as Kimkaran Singh shall withdraw the abovesaid litigations filed by her on her behalf as well as on behalf of Kimkaran Singh against the second party and his other legal heirs.*
- d) It has also been agreed that in the abovesiad suit titled as Sukhmanpreet Kaur v. State of Punjab, the first party will make her statement giving her no objection for change of mother's name of Sukhmanpreet Kaur as Karamjit Kaur as mother of Sukhmanpreet Kaur instead of Narinder Kaur.*
- e) It has also been agreed that in view of these terms and circumstances, the first party has no objection, in case the Decree of Divorce already granted by the learned Addl. Sessions Judge, Sangrur dated 01.09.2018 is upheld by the Hon'ble High Court.*
- f) Both the parties including Kimkaran Singh will not raise further claim against each other as well as their other legal heirs, whether monetary or otherwise.*
- g) It is agreed between the parties that they will withdraw all the cases pending between them, if any.”*

3. In the light of the aforesaid settlement/ compromise dated 01.02.2023, the judgment and decree dated 01.09.2018 is upheld.
4. It is clarified that the parties shall remain bound by the terms and conditions of the aforesaid settlement/ compromise dated 01.02.2023, made before the Mediation and Conciliation Centre of this Court.
5. With the aforesaid observations and directions, present appeal stands disposed of.
6. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(HARSH BUNGER)
JUDGE

February 29, 2024

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No