



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.110

TA-499-2024 (O&M)
Date of Decision: 14.02.2025

DISHA JOSHI AND ANOTHER

....Applicants

Versus

RAJESH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Rishav Jain and Mr. Kanish Jindal, Advocates
for the applicants.

Mr. Deepak Goyal, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

CM-2670-CII-2025

The present application has been filed for placing on record the copy of the judgment and decree dated 08.01.2016 and orders dated 12.11.2022.

In view of the averments made in the application, same is allowed and the requisite documents are taken on record.

Main case

At this stage, it has been brought to the notice of this Court that erroneously, in the previous order, there is a mention made about the parties



having entered into an amicable settlement, on the basis whereof the petition under Section 13-B of the Hindu Marriage Act, was wrongly mentioned to have been filed.

Probably, there seems to be some miscommunication, with regard to the submission made. Rather, it is submitted by both the counsel that compromise, which was reached, was relating to the civil suit, filed by the mother of the respondent, against the present applicant, which has since been withdrawn, on the basis of the compromise. However, the counsel submit that there is no compromise in the present case. Anyhow, it is submitted that divorce has been effected between both the parties and the respondent has performed the second marriage.

The present application relates to the transfer of the civil suit i.e. CS/207/2024, titled '*Rajesh Kumar Vs. Renuka Joshi and another*', filed by the respondent, copy whereof is Annexure P-1.

Considering the aforesaid factual position, the counsel for the applicants submits that he gives an undertaking at the behest of the applicants, that they shall not enter house No.34 (now house No.36), situated at Master Colony, Jakhal, Tehsil Tohana, District Fatehabad, in any manner and also shall not cause any kind of disturbance in the life of the respondent-Rajesh Kumar.

In view of the undertaking given by the counsel for the applicant, the counsel for the respondent submits that the respondent shall withdraw the said suit, within a period of seven days, by way of filing an application before learned Trial Court.

In the eventuality of filing of application, the Court concerned shall pass any appropriate order, as per the prayer made in the application.



In view of the submission made by the counsel for the respondent, at this stage, the counsel for the applicant submits that he does not want to pursue with the present application, which may be dismissed as withdrawn.

Ordered accordingly.

However, the parties shall remain bound by the statement aforesaid, made by their counsel.

14.02.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No