

Kuldeep Kumar Sharma Vs. Usha

Kuldeep Kumar Sharma Vs. Usha

SooperKanoon Citation : sooperkanoon.com/621872

Court : Punjab and Haryana

Decided On : Jul-07-1999

Reported in : I(2000)DMC534

Judge : Swatanter Kumar, J.

Acts : [Hindu Marriage Act, 1955](#) - Sections 13B

Appeal No. : First Appeal from Order No. 41-M of 1996 and Civil Misc. No. 8339CII of 1999

Appellant : Kuldeep Kumar Sharma

Respondent : Usha

Advocate for Def. : Ashok Jindal, Adv.

Advocate for Pet/Ap. : H.S. Kathuria, Adv.

Disposition : Appeal dismissed

Judgement :

ORDER

Swatanter Kumar, J.

CM. 8339/CII99:

1. This application, as framed, is not maintainable before this Court. However, learned Counsel appearing for the parties are agreed that the appeal may be dismissed with liberty to file a petition for dissolution of marriage between the parties by a decree of divorce on the ground of mutual consent within the purview and scope of the provisions of Section 13-B of the Hindu Marriage Act. Annexure-A to this application, copy of the compromise duly signed by the parties, would obviously be the basis of filing the appropriate petition. The mediators, who are present in Court and whose names have been mentioned in the compromise, Annexure-A, to this application, state that a sum of Rs. 2,10,000/- has been given to them, which would be handed over to the wife in Court on presentation of a proper petition.

2. In view of the joint statement of the parties, this application as well as the main appeal is dismissed with liberty to the parties to file a petition under Section 13-B of the Hindu Marriage Act before the Court of competent jurisdiction.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com