
(2009) 02 P&H CK 0049
In the Punjab And Haryana At Chandigarh

Jyoti Sharma

APPELLANT

Vs

Parveen Sharma

RESPONDENT

Date of Decision : 11-02-2009

Acts Referred:

Hindu Marriage Act, 1955 — Section 13, 13B

Citation : (2009) 02 P&H CK 0049

Hon'ble Judges : S.D. Anand, J

Bench : Single Bench

Final Decision : Allowed

Judgement

S.D. Anand, J.—The appellant - wife filed a petition u/s 13 of the Hindu Marriage Act against the respondent - husband, for dissolution of their marriage by a decree of divorce, which was dismissed, vide judgment and decree dated 27.08.2007, by the learned District Judge, Yamuna Nagar.

2. The appellant - wife preferred an appeal against the impugned judgment and decree dated 27.08.2007.

3. In appeal, the parties have presented a petition u/s 13B of the Hindu Marriage Act for dissolution of their marriage by mutual consent. Their plea for conversion of the petition into a petition u/s 13B of the Hindu marriage Act stands allowed. They have also made the following statement, in the presence of their learned Counsel:

We request for conversion of the present petition into a petition u/s 13B of the Hindu Marriage Act, 1956. We have come to terms with the intervention of the Mediation Centre. We reiterate terms and conditions of the agreement contained in the Agreement which may be read as Annexure C-"1".

Our marriage may be ordered to be dissolved by way of mutual consent from the date of this order as per terms and conditions contained in the Annexure C-"1".

4. In view, thus, of the fact that theirs is a joint endeavour for mutual

separation, the petition u/s 13B of the Hindu Marriage Act stands allowed. The marriage between the parties shall stand dissolved, with effect from the date of this order, by a decree of divorce by mutual consent. The parties shall be bound by the terms and conditions contained in the Annexure C-"1" attached with the petition u/s 13B of the Hindu Marriage Act which shall form a part of the decree. The allowance of the plea shall enable them to start their life afresh. They shall, henceforth, have no claim whatsoever against each other except as indicated in Annexure C-"1".