

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**FAO No.180-M of 2002
Date of Decision: 18.11.2015**

Raj Rani

. . . Appellant

Versus

Roshan Lal

. . . Respondent

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. G.S. Sandhu, Advocate
for the appellant.

Mr. Parminder Singh, Advocate
for the respondent.

RAJIVE BHALLA, J. (Oral)

The appellant challenges judgment dated 01.06.2002 passed by the Additional District Judge, Karnal, dissolving the marriage.

The parties namely; Raj Rani and Roshal Lal are present in the Court with their respective counsel.

As the appellant agreed to withdraw her appeal, subject to the respondent paying ₹5,50,000/- as permanent alimony, the following order was passed on 28.09.2015:

“There appears to be possibility of a settlement if the respondent pays Rs.5,50,000/- as permanent alimony and all arrears of maintenance past, present and future.

Adjourned to 08.10.2015.

Parties are directed to be present in person.”

The parties filed affidavits on 08.10.2015, recording their agreement.

The appellant has agreed to withdraw the appeal if the respondent pays ₹5,50,000/- as permanent alimony. The respondent has agreed to pay ₹5,50,000/- to the appellant as permanent alimony and for the said purpose has brought ₹1,00,000/-, in cash, which has been paid to the appellant. The respondent undertakes to pay ₹2,25,000/- to the appellant by 15.04.2016 and the remaining amount of ₹2,25,000/- by 15.11.2016. The parties also agree that they shall withdraw all other litigation pending between them.

Counsel for the parties pray that in view of the agreement between the parties, the appeal may be dismissed as withdrawn.

We have heard counsel for the parties, perused their affidavits and the agreement recorded in the preceding paragraph. The appellant having agreed to withdraw the appeal and respondent having agreed to pay ₹5,50,000/- as permanent alimony, the appeal is dismissed as withdrawn. The judgment and

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decree dated 01.06.2002, passed by the Additional District Judge, Karnal, dissolving the marriage between the parties is affirmed.

The respondent shall be bound to pay permanent alimony as agreed. In case the respondent defaults in payment of permanent alimony, the appellant would be at liberty to seek revival of the appeal, in which eventuality the respondent shall not be entitled to refund of any amount already paid. Decree sheet be drawn up accordingly.

**[RAJIVE BHALLA]
JUDGE**

18.11.2015
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**[REKHA MITTAL]
JUDGE**