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

**FAO-M-15-2015 (O&M)**

**Date of decision: March 03, 2025**

Ranjit Singh

....Appellant

versus

Nirmal Kaur

....Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH  
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

**Present:- Appellant/ husband present in person with  
Mr. Rahul Sharma, Advocate.**

**Respondent/ wife present in person with  
Mr. C.M. Munjal, Advocate.**

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**SUDHIR SINGH, J. (ORAL)**

**CM-4360-CII-2025**

Application herein is for permission to convert main appeal into a petition under Section 13-B of the Hindu Marriage Act, 1955 (for short 'the Act') for grant of divorce by mutual consent, in view of compromise/settlement dated 27.02.2025 (Annexure A-1).

2. Learned counsel for the applicant-appellant submits that during pendency of the appeal, both the parties have amicably settled their dispute. Accordingly, they have entered into a settlement agreement dated 27.02.2025. They have decided to part ways on the terms and conditions contained in the said settlement/compromise.

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3. For the reasons stated in application, same is allowed. Settlement agreement dated 27.02.2025 (Annexure A-1) is taken on record. Main appeal is ordered to be treated as petition under Section 13-B of the Act.

**Main case (O&M)**

Vide judgment and decree dated 04.10.2014 passed by the learned Additional District Judge, Fatehgarh Sahib, the petition, under Section 13 of the Act filed by the appellant/ husband seeking dissolution of marriage between the parties, was dismissed.

2. Learned counsels for the parties submit that marriage between the parties was solemnized on 25.03.1990 according to Anandkarj ceremonies, and out of the said wedlock, one female child was born.

3. Learned counsels submit that during pendency of the appeal herein, the parties have amicably settled the matter by way of settlement agreement dated 27.02.2025 (Annexure A-1), and the same has been placed on record by way of CM-4360-CII-2025. They have decided to part ways on the terms and conditions contained in the said settlement/compromise.

4. The appellant has filed an application i.e., CM-4360-CII-2025 seeking permission for converting main appeal into a petition under Section 13-B of the Act, and the same has been allowed, as aforesaid.

5. From a bare perusal of the record, it appears that the parties have been living separately for more than 13 years. Learned counsels for the parties submit that settlement agreement has been arrived at between the parties on 27.02.2025, and they have further prayed for waiving off the statutory cooling period.

6. Considering the factum of compromise/settlement between the parties, the cooling/ statutory period of 06 months is hereby waived off, as

prayed for in the aforesaid **CM-4290-CII-2025**, and accordingly, the same is **allowed**.

7. The relevant of terms and conditions as contained in the settlement/compromise dated 27.02.2025 (Annexure A-1) arrived at between the parties, would read as under:-

*“1. That First Party shall pay to the Second Party a sum of Rs.30,00,000/- (Rupees Thirty Lakhs Only) as full and final settlement of all claims, including maintenance, alimony, and any other financial claim.*

*2. This amount of Rs.30,00,000/- (Rupees Thirty Lakhs Only) shall be paid to the Second Party at the time of the grant of the decree of divorce by the Hon’ble High Court.*

*3. The parties shall not raise any further claims against each other, including but not limited to maintenance, property rights, and financial support.*

*4. Both parties agree to cooperate and file the necessary applications to convert the pending appeal into a petition under Section 13-B of the Hindu Marriage Act, 1955, and seek a waiver of the statutory cooling period.*

*5. The parties declare that they have entered into this Settlement Agreement of their own free will, without any coercion or undue influence.”*

7.1. In terms of the aforesaid settlement, learned counsel for the appellant has handed over a demand draft bearing No.118116 dated 28.02.2025 for a sum of Rs.30,00,000/- in favour of the respondent/wife, in the Court today itself, to learned counsel for the respondent, for the same to be further handed over to the respondent/wife. A photocopy thereof has also been tendered, in course of hearing, and the same is taken on record.

8. Respondent/wife is present in person in the Court. She has supported the terms of the settlement/ compromise dated 27.02.2025 arrived at between the parties, and expressed her no objection to the same.

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9. In view of the settlement/compromise effected between the parties, the present petition under Section 13-B of the Act is allowed. Since the divorce is being granted to the parties by way of mutual consent under Section 13-B of the Act, it goes without saying that the judgment and decree dated 04.10.2014, passed by learned Additional District Judge, Fatehgarh Sahib shall have no effect, and the same stands set aside.

10. However, it is clarified that the parties shall remain bound by the terms and conditions of the aforesaid settlement/ compromise, which shall form part of the decree.

11. Decree sheet be drawn accordingly.

12. Pending application(s), if any, shall stand disposed of.

**(SUDHIR SINGH)  
JUDGE**

**(SUKHVINDER KAUR)  
JUDGE**

**March 03, 2025**

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No