



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

**C.M.No.12778-CII-2025 in/  
FAO No.5929 of 2015(O&M)  
Date of Order:07.07.2025**

**Bhavya Deep Aggarwal**

**.Appellant**

**Versus**

**Nupur Gupta**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL  
HON'BLE MR. JUSTICE ROHIT KAPOOR**

**Present: Mr. Dhiraj Chawla, Advocate  
for the applicant-appellant.**

**Mr. Pritam Singh Saini, Advocate  
Ms. Vamika Johar, Advocate  
Ms. Parul Saini, Advocate  
Mr. Shubham Goyal, Advocate  
for the applicant-respondent.**

**ANIL KSHETARPAL, JUDGE (Oral)**

**C.M.No.12778-CII-2025**

1. An application under Order VI Rule 17 of the Code of Civil Procedure, 1908, has been filed for permission to convert the petition into a petition under Section 13-B of the Hindu Marriage Act, 1955, for grant of divorce by way of mutual consent.

2. In view of the facts and circumstances of the present case, the application is allowed.

3. Though, an amended petition has not been filed, however, keeping in view the averments made in the application, the same is treated as a petition filed under Section 13-B of the Hindu Marriage Act, 1955. The



parties have filed their respective affidavits admitting settlement on the following terms:-

- “ (i) *Appellant shall pay a lumpsum amount of Rs.25,00,000/- (Twenty Five Lacs only) towards past, present and future alimony of the respodnent as well as the daughter Navya and in lieu thereof appellant shall stop paying monthly maintenance to Navya as earlier ordered vide orders dated 13.09.2021 by the Ld. District Judge (Family Court) Ambala in MNT 236 of 21.08.2017.*
- (ii) *That whereas the permanent custody of the daughter Navya as of now shall remain with the respondent till she attains the age of 18 years thereafter she will be free to decide herself.*
- (iii) *That both the parties have completely resolved their issues and there are no claims/counter claims with regard to dowry articles etc. as all the issues already stand resolved with mutual understanding.*
- (iv) *Both the petitioners will not do anything which may frustrate the present agreement.*
- (v) *That both the parties agreed that there is no other case/complaint pending before any court/authority against each other and neither will they file the same in future.*
- (vi) *That both the parties shall remain bound by the terms and conditions agreed in the compromise.*
- (vii) *That this consent of mutual divorce and settlement has not been obtained by fraud, pressure, misrepresentation, coercion of by any other illegal manner.”*

4. The prayer has also been made to waive off the cooling period of six months.

5. The parties are present in Court. They pray for dissolution of



their marriage by mutual consent. Hence, the statements of the parties are being separately recorded.

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6. Keeping in view the separately recorded statements of both the respective parties, the prayer for waiving off cooling period of six months is allowed because the parties are litigating for the last 10 years and they are separately residing for the last 13 years.

7. The marriage between them is dissolved by a decree of divorce by way of mutual consent. The appellant-Bhavya Deep Aggarwal has handed over a demand draft of Rs.25,00,000/- to the respondent-Nupur Gupta, in Court today, which is acknowledged by the respondent.

8. The appeal stands disposed of.

9. All the pending miscellaneous applications, if any, are also disposed of.

**(ANIL KSHETARPAL)  
JUDGE**

**(ROHIT KAPOOR)  
JUDGE**

**July 07, 2025**

**nt**

**Whether speaking/reasoned : Yes/No**  
**Whether reportable : Yes/No**