

IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA.

FAO (HMA) No. 148 of 2011.
Decided on: October 31, 2012.

Sh. Parveen Kumar son of Shri Kishore Chand, R/o Village Dangoh,
Tehsil Amb, District Una, H.P.

..... Appellant.

Versus

Smt. Kanchan Bala, wife of Shri Parveen Kumar d/o late Shri Bishambar
Dass, at presently resident at her parental house at Gagret, Tehsil Amb,
District Una, H.P.

.....Respondent.

Coram

Hon'ble Mr. Justice Surinder Singh, J.

Whether approved for reporting?

For the appellant : Appellant with Mr. K.B. Khajuria, Advocate.

For the respondent : Respondent with Mr. Naresh Thakur,
Sr. Advocate duly assisted by Mr. Surender
Kumar, Advocate.

Surinder Singh, J (oral):

As per settlement inter-se the parties recorded on 7.9.2012 as per their statements, an amount of ₹.4,50,000/- stands deposited in the Registry of this Court by the appellant-husband and the amount of ₹.55,000/- which was deposited in the Court of learned Judicial Magistrate Ist Class Court No.2, Amb in the maintenance execution petition, is stated to have been withdrawn by the respondent-wife. Now nothing survives in this appeal. A statement to this effect of respondent-wife is also recorded today.

Whether reporters of the Local papers are allowed to see the judgment?

2. Further the parties and their learned counsel state at Bar that a petition under Section 13(B) of the Hindu Marriage Act has been filed in the Court of Learned District Judge, Una on 20.9.2012 and the next date has been fixed for 22.3.2013. The respondent-wife has also forgone the future claim and now the matter stands fully and finally settled between them subject to the passing of final decree in the petition under Section 13(B) of the Hindu Marriage Act by the learned District Judge, Una.

3. The amount of ₹.4,50,000/- deposited by the appellant-husband be released by the Registry of this Court to the respondent-wife by remitting the same into her saving bank account No. 0614215 1007126, maintained in Oriental Bank of Commerce, Sector 34-A, Chandigarh Branch, photocopy of the pass-book is placed on record as Mark-A.

4. The appeal stands disposed of, so also the pending application(s), if any.

October 31, 2012.
(Pds)

**(Surinder Singh),
Judge**

FAO (HMA) No.148 of 2011.

Statement of Smt. Kanchan Bala, w/o Sh. Parveen Kumar, d/o late Shri Bishambar Dass, at present residing at her parental house at Gagret, Tehsil Amb, District Una, H.P. aged 39 years.

On S.A.

31.10.2012.

Stated that an amount of ₹.55,000/- which was deposited in the Court of learned Judicial Magistrate Ist Class Court No.2, Amb in the maintenance execution petition has been withdrawn by me and an amount of ₹.4,50,000/- deposited by the appellant-husband in the Registry of this Court today may be released and remitted in my saving bank account No. 0614215 1007126, maintained in Oriental Bank of Commerce, Sector 34-A Chandigarh Branch. Photocopy of pass-book is placed on record as Mark-A. I have forgone the future claim of maintenance as per my statement already recorded in this case on 7.9.2012 in this Court. Since the matter stands fully and finally settled between me and the appellant-husband and we have already moved a petition for mutual divorce which is fixed for 22.3.2013 before the learned District Judge, now, therefore, nothing survives in the present appeal, it may be closed accordingly.

RO&AC

October 31, 2012.

(Surinder Singh),J.