

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL**

(Delay Condonation Appl. No.5945 of 2014)

In

**First Appeal No.55 of 2014**

Diwan Singh Rawat

.....Appellant

**Versus**

Smt. Vimlesh Rawat

.....Respondents

Mr Devendra Bohra, Advocate holding brief of Mr. Raman Kumar Sah, Advocate for the appellant.

Mr. Sarvesh Agarwal, Advocate for the respondent.

**Dated: 31.03.2016**

**Coram:     Hon'ble K.M. Joseph, C.J.  
              Hon'ble V.K. Bist, J.**

**K.M. JOSEPH, C.J. (Oral)**

Heard.

2.           There is 133 days' delay in filing the appeal. We are of the view that delay, in filing the appeal can be condoned. Accordingly, application for condonation of delay will stand allowed.

3.           The appeal is lodged against the decree refusing dissolution of marriage. It appears that the parties have entered into a settlement before the mediator and the settlement is also made available.

4.           Learned counsel for the appellant would submit that in terms of the compromise, appeal can be dismissed as withdrawn.

5.           The appeal will stand dismissed as withdrawn in terms of the compromise.

**(V.K. Bist, J.)**  
31.03.2016

**(K.M. Joseph, C.J.)**  
31.03.2016