

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 1591 OF 2008

PARAMJIT SINGH

Appellant(s)

VERSUS

AMARJIT KAUR

Respondent(s)

WITH

CIVIL APPEAL NO(S). 1590 OF 2008

O R D E R

A joint application has been filed by the parties invoking the jurisdiction of this Court under Article 142 of the Constitution of India, and praying that, in view of the settlement between the parties, decree of dissolution of marriage between them be passed. The parties were married on 08th February, 1987 and from the wedlock a son, namely Harkirat Singh was born on 28th May, 1988 who has become major. It is also not in dispute that the parties are living separately since 27th August, 1988 i.e. for almost 26 years. The Terms of Settlement are as follows:

"(i) That the appellant-Paramjit Singh has agreed to pay a one time settlement amount of Rs. 15 lacs (Rupees Fifteen Lacs only) to the respondent-Amarjit Kaur. On receipt of the aforesaid amount, all her claims against the appellant pertaining to stridhan, gifts, belongings, permanent alimony, medical

reimbursement (Outstanding amount spent on her treatment of cancer) and all marriage expenses incurred by Amarjit Kaur and/or by her parents shall stand satisfied.

(ii) That the appellant shall pay the aforesaid amount of Rs.15 Lacs (Rupees Fifteen Lacs only) to the respondent vide demand drafts. For the said purpose, the appellant has prepared the following Demand drafts of Rs.15,00,000/- in favour of the respondent, details whereof are as under:

| S.No. | Date       | Amount(Rs.) | DD No. | Drawn on                      |
|-------|------------|-------------|--------|-------------------------------|
| 1.    | 07.10.2014 | 4,00,000/-  | 017344 | Bank of India (Jaridih Bazar) |
| 2.    | 08.10.2014 | 4,00,000/-  | 761731 | Bank of India (Saketpuri)     |
| 3.    | 09.10.2014 | 7,00,000/-  | 761752 | Bank of India (Saketpuri)     |
| Total |            | 15,00,000/- |        |                               |

Out of settled amount of Rs.15,00,000/- the appellant has paid Rs.7,00,000/- to the respondent today i.e. 13.10.2014 vide demand draft no. 761752 dated 09.10.2014 drawn on Bank of India, Saketpuri Branch (mentioned at serial No. 3 above).

With regard to remaining amount of Rs.8,00,000/-, the appellant has submitted the drafts (mentioned at Serial No. 1 and 2 above) to his counsel, who has ensured to handover the same to the Respondent in this Hon'ble Court at the time of hearing. Photocopies of the said drafts are annexed herewith as ANNEXURE A-1/1 (COLLY)

If for any reason, validity of the said draft(s) expires the applicant shall ensure to get them revalidated and handover the revalidated

drafts to the respondent.

(iii) The parties have agreed not to pursue their respective appeals pending before this Hon'ble Court and they pray before this Hon'ble Court for their disposal in the light of this settlement.

(iv) That since the parties herein have voluntarily entered into the settlement and have mutually agreed to obtain the divorce, the allegations, if any, by either of the parties against each other in any manner whatsoever would be deemed to be unequivocally withdrawn. The parties shall withdraw the case(s) if any filed by them against each other or their family members.

(v) That in view of aforesaid settlement and on receipt of Rs.15 lacs by the respondent-wife, the parties herein shall be left with no claim of any nature against each other."

In complete compliance of the Terms of Settlement, a sum of Rs.8,00,000/- (Rupees eight lacs) has been paid to the respondent by the appellant today and the sum of Rs.7,00,000/- (Rupees seven Lacs) has been paid on 13th October, 2014.

Keeping in view the circumstances of the case, we are satisfied that exercising the power under Article 142 of the Constitution, the marriage of the appellant- Paramjit Singh with respondent - Amarjit Kaur is ordered to be dissolved.

Both the appeals are disposed of in terms of the Compromise, mentioned above.

All the Interlocutory Applications shall also stand disposed of accordingly.

.....J  
(VIKRAMAJIT SEN)

.....J  
(PRAFULLA CHANDRA PANT)

NEW DELHI  
October 16, 2014

ITEM NO.101

COURT NO.13

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 1591/2008

PARAMJIT SINGH

Appellant(s)

VERSUS

AMARJIT KAUR

Respondent(s)

(With Appln. for Directions and Permission to file Addl. documents and permission to file Rejoinder Affidavit and Compromise and Interim relief and Office Report)

WITH

C.A. No. 1590/2008

(With Interim Relief and Office Report)

Date : 16/10/2014 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN

HON'BLE MR. JUSTICE PRAFULLA CHANDRA PANT

For Appellant(s) Mr. S. K. Verma, Adv.  
Mr. Atul Kumar, Adv.

Mr. R.S. Suri, Sr. Adv.  
Ms. Kiran Bhardwaj, Adv.

For Respondent(s) Mr. R.S. Suri, Sr. Adv.  
Ms. Kiran Bhardwaj, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Both the appeals are disposed of in terms of the compromise.

All the Interlocutory Applications shall also stand disposed of.

(NEELAM GULATI)  
COURT MASTER

(SAROJ SAINI)  
COURT MASTER

(Signed order is placed on the file)