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C.A.No. 6096-6097 OF 1997
L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R
ITEM NO.114 COURT NO.11 SECTION IV

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 NOS.6096-6097 OF 1997@@
CC

TEJINDER SINGH ... APPELLANT(S)

VERSUS

DALJIT KAUR ... RESPONDENT(S)

(With appln.(s) for permission to file additional affidavit and compromise and office report)

Date: 07/11/2001. This/These matter(s) were called on for hearing today.@@
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CORAM:

HON'BLE MR. JUSTICE R.P. SETHI
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Appellant(s) Mr. A.K. Chitale, Sr. Adv.
Mr. Niraj Sharma, Adv.
Mr. M. Mannan, Adv.

For Respondent (s) Mr. Krishnand Pandeya, Adv.

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

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.SP2

The appeals stand disposed of in terms of the signed order.

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(K.K. Chawla) (D.D. Jindal)@@
AA
Court Master Assistant Registrar

[Signed order is placed on the file]

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.PL55

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

TEJINDER SINGH ... APPELLANT

VERSUS

DALJIT KAUR ... RESPONDENT

O R D E R@@
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.SP2

Ex parte decree for dissolution of marriage passed by the trial court was set aside by the High Court vide the order impugned in this appeal on the ground that the respondent was not duly served and that the trial court was not right in rejecting the application filed by the wife under Order 9 Rule 13 C.P.C.

Learned counsel appearing for the respondent - wife submits that he has instructions to not press for the application filed for setting aside the ex parte decree. It is further contended by the learned counsel for the parties that their clients in fact have settled the disputes outside the Court and compromise applications being I.A. Nos.8 & 9 to that effect have also been filed in this Court.

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In view of the statement of the learned counsel for the respondent - wife, the application filed by her for setting aside the ex parte decree is dismissed as not pressed. Consequently, the judgment impugned passed by the High Court shall stand set aside by upholding the judgment of the trial court dissolving the marriage between the parties by a decree of divorce. The appeals stand disposed of accordingly.

.SP1

.....J.
(R.P. Sethi)

New Delhi,
November 07, 2001.

.....J.
(Y.K. Sabharwal)