

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

Petition(s) for Special Leave to Appeal (Civil) No(s).21185/2011
(From the judgement and order dated 10/03/2011 in FAO No.208/2005 of the
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

GURSHAVINDER SINGH Petitioner(s)

VERSUS

BALTEJ KAUR @ GURJIT KAUR Respondent(s)

(With appln(s) for permission to place addl. documents on record)
[FOR FINAL DISPOSAL]

Date: 13/03/2014 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Amarjit Singh Bedi, Adv.
Mr. Asfar Heyat Warsi, Adv.
Ms. Aparajita Sharma, Adv.

For Respondent(s) Mr. P.N. Puri, Adv.
Mr. Abhishek Puri, Adv.
Mr. Sudershan Goel, Adv.
Mrs. Reeta Dewan Puri, Adv.

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

Leave granted.
The appeal is disposed of in terms of the signed order.

| (VINOD LAKHINA) | | (INDU BALA KAPUR) |
| COURT MASTER | | COURT MASTER |

(SIGNED ORDER IS PLACED ON THE FILE)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3851 OF 2014
[Arising out of Special Leave Petition (Civil) No.21185 of 2011]

GURSHAVINDER SINGH ...APPELLANT

VERSUS

ORDER

Leave granted.

Keeping in view the age of the parties concerned, and the fact that it would be difficult, if not impossible, to revive the marriage, we had thought it appropriate to request the learned counsel for the parties to make earnest efforts to reach a amicable settlement. We are happy to note that with the joint efforts made by the learned counsel for the parties, a settlement has been arrived at, which we proceed to record:

(a) The judgment rendered by Shri U.S. Gera, Additional District Judge, Muktsar in HMA Petition No. RT-7 of 22.8.01/28.2.03 [Gurshavinder Singh s/o Jagdip Singh @ Gurdip Singh r/o Ramnagar, Tehsil Malout, Distt. Muktsar versus Baltej Kaur @ Gurjit Kaur wife of Gurshavinder Singh (d/o Chanan Singh) r/o Banwala Hawanta, Tehsil Fazilka, Distt. Ferozepur] dated 11.5.2005 is set aside.

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(b) The judgment of the Punjab and Haryana High Court at Chandigarh rendered in FAO No.208-M of 2005 [Gurshavinder Singh s/o Jagdip Singh @ Gurdip Singh r/o Ramnagar, Tehsil Malout, Distt. Muktsar versus Baltej Kaur @ Gurjit Kaur wife of Gurshavinder Singh (d/o Chanan Singh) r/o Banwala Hawanta, Tehsil Fazilka, Distt. Ferozepur] dated 10th March, 2011 is also set aside.

(c) HMA Petition No. RT-7 of 22.8.01/28.2.03 [Gurshavinder Singh s/o Jagdip Singh @ Gurdip Singh r/o Ramnagar, Tehsil Malout, Distt. Muktsar versus Baltej Kaur @ Gurjit Kaur wife of Gurshavinder Singh (d/o Chanan Singh) r/o Banwala Hawanta, Tehsil Fazilka, Distt. Ferozepur] is converted to a petition under Section 13-B of the Hindu Marriage Act, 1955 with a prayer for grant of divorce by mutual consent. In exercise of our power under Article 142 of the Constitution of India to prevent further misery being caused to both the parties, the marriage solemnized between the parties on 29th November, 1989 as per Anand Karaj ceremony at village Banwala Hawanta, Tehsil Fazilka, District Ferozepur is dissolved and a decree of divorce is granted;

...3/-

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(d) The respondent - wife shall be entitled to receive a lump sum amount of Rs.25,00,000/- (Rupees Twenty Five lakhs) as

permanent alimony, which will be paid by the appellant - husband in three installments;

(e) The appellant - husband shall pay the first installment of Rs.10,00,000/- (Rupees Ten lakhs) by 30th June, 2014 to the respondent wife; the second installment of Rs.7,50,000/- (Rupees Seven lakhs Fifty thousand) shall be paid on or before 31st December, 2014; and the third and final installment of Rs.7,50,000/- (Rupees Seven lakhs Fifty thousand) shall be paid on or before 30th June, 2015 by the appellant-husband to the respondent -wife.

(f) In case in default of any of these payments, the appellant-husband shall be liable to pay interest at the rate of 10% per annum for the delayed payment, if any.

...4/-

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(g) The appellant-husband shall also file an undertaking to comply with the aforesaid schedule of payments within a period of four weeks from today in this Court. It is made clear that by and under the aforesaid settlement, all the disputes/cases, if any, between the parties relating to marriage, the common property as well as the individual property of the husband stand settled. The respondent - wife shall not have any further claim against any such property.

The appeal is disposed of in the above terms. No costs.

.....,J.
(SURINDER SINGH NIJJAR)

.....,J.
(A.K. SIKRI)

NEW DELHI
MARCH 13, 2014