

Rajasthan High Court - Jodhpur

Sukhdeo vs Smt.Nandu Devi on 19 December, 2008

S.B.Civil Misc. Appeal No.503/08

Sukhdeo

vs.

Smt. Nandu Devi

1

S.B.Civil Misc. Appeal No.503/08

Sukhdeo vs. Smt. Nandu Devi.

Date of Order: 19.12.2008.

PRESENT

HON'BLE MR. PRAKASH TATIA, J.

Mr. Ramesh Purohit for the appellant. Mr. Sachin Acharya for the respondent.

The appellant-husband preferred appeal to challenge the judgment and decree passed by the court of District Judge, Bhilwara dated 11.3.2008 by which the appellant's Divorce Petition No.26/2007 was dismissed by the trial court.

Before this Court, both the parties, the appellant and the respondent, submitted compromise and submitted that because of the dispute between the parties, they are living separate since last 3-4 years and inspite of efforts made by the members of the community, the dispute has not been resolved between the parties. Both the parties agreed to separate and obtain the divorce decree. It is submitted that the respondent has already took away her all stridhan and no claim of the respondent is against the appellant.

Since there are serious allegations levelled by the appellant against the respondent and he gave his statement. However, those statements have not been relied upon by the trial court but it is not in dispute that both the parties are S.B.Civil Misc. Appeal No.503/08 Sukhdeo vs.

Smt. Nandu Devi living separate since last more than 3-4 years and inspite of efforts, they could not reconcile, therefore, in view of the compromise between the parties, the appeal is allowed. The judgment and decree passed by the trial court dated 11.3.2008 is set aside. The divorce petition is allowed on the basis of the compromise between the parties and the marriage of the appellant and respondent is dissolved from today.

(PRAKASH TATIA),J.

mlt