

Punjab-Haryana High Court

Krishan Gopal Kalra vs Smt.Punam Kalra on 31 July, 2009

CR No.1058 of 1998

[1]

IN THE HIGH COURT OF PUNJAB
CHANDIGARH.

AND HARYANA AT

Civil Revision No.1058 of 1998

Date of Decision: 31 - 7 - 2009

Krishan Gopal Kalra

....Petitioner

v.

Smt.Punam Kalra

....Respondent

CORAM: HON'BLE MR.JUSTICE KANWALJIT SINGH AHLUWALIA

Present: Mr.Vaneet Sharma, Advocate
for the petitioner.

Mr.Vinod Kumar Kaushal for
Mr.B.R.Mahajan, Advocate
for the respondent.

KANWALJIT SINGH AHLUWALIA (ORAL)

Petitioner Krishan Gopal Kalra was married with Punam Kalra on 3.2.1988 according to Hindu rites. Out of this wedlock, a daughter, namely, Mrignalini was born on 25.10.1988. It is alleged that Punam Kalra was thrown out of the matrimonial home and was ill treated for want of dowry. Petitioner-husband had filed a petition for grant of decree of divorce on the ground of cruelty and desertion. Ex-parte decree was granted in favour of husband on 12.6.1991. Aggrieved wife filed an application for setting aside ex parte judgment and decree on the ground that fraud was played upon her, as no service was effected upon her. Order of ex parte decree was set aside by the Additional District Judge on 17.2.1998. The present revision petition has been filed against that order.

CR No.1058 of 1998 [2] On the last date of hearing, counsel for the parties were orally told that parties should remain present in Court. Today petitioner Krishan Gopal Kalra and respondent Punam Kalra along their only child Mrignalini are present in Court. Counsel for the parties have stated that parties have arrived at a compromise. Affidavit of Krishan Gopal Kalra and Punam Kalra have been submitted. They are marked as Mark `A' and Mark `B'. They be read as part of this order.

Counsel for the parties have jointly made a statement that present revision petition be decided in view of the compromise arrived between the parties. Therefore, impugned order passed by the learned Additional District Judge on 17.2.1988 whereby ex parte decree was set aside is upheld. Punam Kalra has stated that she will not prosecute the petitioner-husband and petitioner-husband has agreed that as per agreement he will buy a house in the name of Punam Kalra worth Rs.9 lacs and will pay a sum of Rs.5,000/- per month to her.

Counsel for the parties on instructions from Krishan Gopal Kalra and Punam Kalra have stated that parties shall continue to visit each other. However, Punam Kalra will not object to petitioner's staying with Nirmal Kumari to whom he had married during the period when decree of divorce was subsisting.

In view of the compromise arrived between the parties, the present petition is disposed off.

(KANWALJIT SINGH AHLUWALIA) July 31, 2009. JUDGE RC