

**IN THE HIGH COURT OF HIMACHAL PRADESH
AT SHIMLA**

FAO (FC) No.70 of 2025
Decided on: 23.03.2026

Tsering ...Appellant

Versus

Chander Kanta ...Respondent

Coram

Hon'ble Mr. Justice Vivek Singh Thakur, Judge

Hon'ble Mr. Justice Ranjan Sharma, Judge

¹*Whether approved for reporting?*

For the appellant: Appellant in person with
Mr. Maan Singh, Advocate.

For the respondent: Respondent in person with
Mr. Abhinav Mohan Goel,
Advocate.

Vivek Singh Thakur, Judge *[Oral]*

This appeal has been preferred by the husband-appellant, Tsering, against the dismissal of his petition by the Principal Judge, Family Court, Kullu, District Kullu, bearing Regd. No.161 of 2019, titled '***Tsering v. Chander Kanta***', filed for dissolution of marriage under Section 13 of the Hindu Marriage Act, 1955 (*in short, 'the Act'*) by way of a decree of divorce.

2. During the pendency of the present appeal, the matter was referred to mediation before Mr. Rajesh Kumar, learned Mediator, to explore the

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*

possibility of an amicable settlement between the parties. During the mediation proceedings, the parties agreed to dissolve their marriage by mutual consent as provided under Section 13-B of the Act, subject to payment of a sum of Rs.15,00,000/- [Rupees Fifteen Lakh Only] by the appellant to the respondent towards maintenance and permanent alimony as full and final settlement. The report of learned Mediator in this regard has been received, stating therein that dispute has been amicably resolved between the parties.

3. Statements of parties have been recorded on oath separately.

The statement of appellant is as under:-

“Statement of Tsering Wangchuch [Appellant], S/o Shri Namgial, aged about 47 years, R/o Nagma House, Jharang Aleo, Manali, District Kullu, Himachal Pradesh. PIN Code-175131, Aadhar Card No.545342048607.

Tsering Wangchuch [Appellant], S/o Shri Namgial, aged about 47 years, R/o Nagma Niwas Bhuntan, Gompa Road, near Sunpark Hotel Aleo, Post Office Aleo, Tehsil Manali, District Kullu, Himachal Pradesh. [Address mentioned in appeal]

On Oath
23.03.2026

My marriage with respondent-Chander Kanta was solemnized on 23.06.2007 according

to Hindu rites and rituals. After marriage, we could not maintain cordial relations with each other and have been living separately since the year 2015. Thereafter, we could not live together due to differences of opinion, and I filed a petition for dissolution of marriage before the learned Principal Judge, Family Court, Kullu, District Kullu, which came to be dismissed on 04.01.2025. Thereafter, I filed the present appeal.

During pendency of the appeal, matter was referred to mediation before the learned Mediator, where we have amicably resolved the dispute and have decided to dissolve the marriage by mutual consent under Section 13-B of the Hindu Marriage Act, without pressing any allegations against each other as levelled during the pendency of the litigation.

I have agreed to pay and the respondent has agreed to receive, a lump-sum amount of Rs.15,00,000/- (Rupees Fifteen Lakh) towards full and final settlement of maintenance and permanent alimony. The said amount has been paid by me to the respondent in three instalments, i.e., Rs.2,00,000/- (Rupees Two Lakh) on 14.01.2026, Rs.5,50,000/- (Rupees Five Lakh Fifty Thousand) on 15.01.2026 and Rs.7,50,000/- (Rupees Seven Lakh Fifty Thousand) on 13.03.2026.

In view of above, I pray for dissolution of marriage between us by mutual consent in terms of the aforesaid settlement.

The above statement has been made by me out of my free will and consent, without any

coercion or undue pressure from any quarter.”

The statement of respondent is as under:-

“Statement of Ms. Chander Kanta, W/o Tsering S/o Shri Namgial, R/o Nagma Bhutan, Gompa Road, near Sunpark Hotel Aleo, Post Office Aleo, Tehsil Manali, District Kullu, Himachal Pradesh.

Presently residing in the house of her father Shri Khimi Ram, R/o of Village Goshal, Post Office Bahang, Tehsil Manali, District Kullu, Himachal Pradesh. PIN Code-175103.

On Oath

23.03.2026

My marriage with appellant-Tsering was solemnized on 23.06.2007 according to Hindu rites and rituals. After the marriage, we could not maintain cordial relations and have been living separately since the year 2015. Due to differences of opinion, we could not live together and the appellant had filed a petition for dissolution of marriage before the learned Principal Judge, Family Court, Kullu, District Kullu, which came to be dismissed on 04.01.2025. Thereafter, the present appeal has been filed by the appellant.

During pendency of the appeal, the matter was referred to mediation before the learned Mediator, where we have amicably resolved our dispute and have decided to dissolve the marriage by mutual consent under Section 13-B of the Hindu Marriage Act, without pressing any allegations against each other as levelled during the pendency of the litigation.

I have agreed to receive, and have received, a lump sum amount of Rs.15,00,000/- (Rupees Fifteen Lakh) towards full and final settlement of maintenance and permanent alimony. The said amount has been paid to me by the appellant in three instalments, i.e., Rs.2,00,000/- (Rupees Two Lakh) on 14.01.2026, Rs.5,50,000/- (Rupees Five Lakh Fifty Thousand) on 15.01.2026, and Rs.7,50,000/- (Rupees Seven Lakh Fifty Thousand) on 13.03.2026.

In view of the above, I have no objection if the marriage between us is dissolved by mutual consent in terms of the aforesaid settlement.

The above statement has been made by me out of my free will and consent, without any coercion or undue pressure from any quarter.”

4. Learned counsel for the parties have jointly submitted that the agreed permanent alimony has been paid by the appellant and received by the respondent in toto and now nothing survives to be paid or received by either party, in respect to the permanent alimony.

5. In view of the above, the present appeal is disposed of in terms of the settlement arrived at between the parties and the petition preferred by them before the Family Court, Kullu, District Kullu, H.P. is treated to have been filed as a petition under

Section 13-B of the Act for dissolution of marriage by mutual consent and the marriage between *Tsering and Chander Kanta*, is ordered to be dissolved by way of a decree of dissolution of marriage by mutual consent with immediate effect. The decree is modified in aforesaid terms.

6. Before parting, we would like to record words of appreciation for learned Mediator Mr. Rajesh Kumar, Advocate/Mediator for his earnest efforts for materializing settlement and also for learned counsel and parties whose active cooperation has resulted into happy ending of litigation.

This appeal stands disposed of in above terms. Pending miscellaneous application(s), if any, also stands disposed of.

(Vivek Singh Thakur)
Judge

(Ranjan Sharma)
Judge

March 23, 2026
[Shivender]