



**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. _____ OF 2025
(ARISING OUT OF SLP (C) NO. 35588 of 2025
@ D.17190 OF 2024)**

JATINDER KUMAR

...APPELLANT(S)

VERSUS

JEEWAN LATA

...RESPONDENT(S)

J U D G M E N T

VIKRAM NATH, J.

1. Leave granted.
2. Heard.
3. The present appeal arises out of the impugned order dated 28th February 2014 passed by the High Court of Punjab and Haryana at Chandigarh in FAO No. M-246 of 2012, whereby the High Court dismissed the appellant-husband's appeal and affirmed the dismissal of his petition seeking dissolution of marriage.
4. The facts giving rise to the present appeal, in brief, are as follows:

4.1. The parties were married on 22nd June 2003 at Morinda, District Ropar, Punjab. No child was born out of the said wedlock.

4.2. Both parties are teachers by profession. Prior to the marriage, the respondent-wife was working as a teacher in Government Elementary School, Hansron, Tehsil Nawanshahr, Punjab.

4.3. The appellant-husband contends that the marriage was strained. In October 2004, the parties shifted to Ropar, Punjab, when the appellant-husband was posted at Government Senior Secondary School, Kariha. In February 2005, the appellant-husband met with an accident and remained under medical treatment for about a week. It is his case that during this period, the respondent-wife neither attended to him nor took any care of him. He further alleges that she attempted to procure his signatures on certain documents under duress, which led him to institute a civil suit seeking injunction against her and her family members. Subsequently, the said suit was withdrawn pursuant to a compromise between the parties.

4.4. In November 2005, the parties shifted back to Nawanshahr, Punjab. Soon thereafter, the respondent-wife left the matrimonial home and did not return.

4.5. Thereafter, the appellant-husband filed a petition under Section 9 of the Hindu Marriage Act, 1955 seeking restitution of conjugal rights. The said petition was dismissed as withdrawn by the Trial Court vide order dated 13th October 2007.

4.6. Subsequently, on 14th December 2009, the appellant-husband filed a petition being HMA No. 92 of 2009 under Section 13 of the Hindu Marriage Act, 1955, seeking divorce on the grounds of cruelty and desertion.

4.7. The Trial Court, vide order dated 14th August 2012, dismissed the appellant-husband's petition, holding that he had failed to establish the allegations levelled against the respondent-wife.

4.8. Aggrieved thereby, the appellant-husband preferred an appeal being FAO No. M-246 of 2012 before the High Court.

4.9. The High Court, by the impugned order dated 28th February 2014, upheld the order of the Trial Court and dismissed the appeal.

4.10. Aggrieved by the aforesaid order, the appellant-husband is before this Court.

5. We have heard learned counsel for the parties and have also interacted with the parties, who appeared in person before this Court.

6. The appellant-husband submits that the marriage between the parties has irretrievably broken down. It is contended that the parties have been living separately for nearly two decades and their differences are irreconcilable. In these circumstances, it is urged that this Court may dissolve the marriage in exercise of its powers under Article 142 of the Constitution of India.

7. The respondent-wife, on the other hand, submits that the appellant-husband has not made any sincere effort to reconcile with her. She has denied the allegations of cruelty levelled against her and contends that the present case does not warrant the exercise of powers under Article 142 of the Constitution of India.

8. We have given our thoughtful consideration to the submissions advanced on behalf of both parties. It is undisputed that the parties have been living separately for about twenty years. The strain in the marital relationship is evident from the facts of the case and the averments made by the appellant-husband. Despite opportunities, including reference to the Supreme Court Mediation Centre, no amicable settlement could be arrived at. At this stage, there

appears to be no possibility of reconciliation between the parties. The continuance of the marital bond, in such circumstances, would serve no meaningful purpose and would only prolong the agony of both parties. We are therefore of the considered view that this is a fit case where the marriage has irretrievably broken down, warranting exercise of this Court's powers under Article 142 of the Constitution of India.

9. Having decided to dissolve the marriage, the question of permanent alimony requires consideration. Both parties are teachers by profession and are employed in government schools in the State of Punjab. During interaction with the parties present before this Court, the appellant-husband expressed his willingness to pay a sum of ₹15,00,000/- (Rupees Fifteen Lakhs only) as permanent alimony. Keeping in view the respective positions of the parties, their long separation, and other attendant circumstances, we are of the view that a sum of ₹20,00,000/- (Rupees Twenty Lakhs only) would be a just and reasonable amount towards permanent alimony, payable as a one-time settlement.

10. Accordingly, in exercise of the powers conferred under Article 142 of the Constitution of India, the marriage between the parties is dissolved, subject to the condition that the appellant-husband shall pay a sum of ₹20,00,000/- (Rupees Twenty Lakhs only) to the respondent-wife as full

and final settlement of all her claims, including permanent alimony. The said amount shall be paid within a period of two months from today. The decree of divorce shall be drawn up upon the Registry being furnished with proof of such payment.

11. The respondent-wife shall furnish the necessary bank details to facilitate the payment.

12. In view of the above directions, any civil or criminal proceedings, if still pending between the parties, shall stand closed.

13. The appeal is accordingly allowed. The impugned order dated 28th February 2014 passed by the High Court of Punjab and Haryana at Chandigarh and the order dated 14th August, 2012 passed by the Additional District Judge, Shaheed Bhagat Singh Nagar are set aside. The decree of divorce is granted under Article 142 of the Constitution of India in the terms mentioned above.

14. Pending application(s), if any, shall stand disposed of.

.....**J.**
[VIKRAM NATH]

.....**J.**
[SANDEEP MEHTA]

NEW DELHI
DECEMBER 18, 2025