

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.678 OF 2020

STUTI BHARDWAJ

PETITIONER

VERSUS

ASHUDEEP SHARMA

RESPONDENT

O R D E R

This petition has been filed by the petitioner-wife under Section 25 of the Code of Civil Procedure, 1908 seeking the following relief.

"(a) Transfer the petition U/s 13(1)(i-a) of Hindu Marriage Act, 1955, filed by the Respondent against the Petitioner titled as "Ashudeep Sharma Vs. Stuti Bhardwaj" numbered as M.C. No.4432/2019, presently pending before court of Ld. IV, Addl. Principal Judge, Family Court, Bangalore, to the Family Court at Bijnor or to any other courts of its competent jurisdiction at Bijnor, U.P."

During the pendency of this petition the parties were referred to the Supreme Court Mediation Centre in order to explore the possibility of a settlement between them. Today, learned counsel for the respective parties submitted that the parties have settled the disputes and have entered into a settlement agreement dated 30.01.2023, a copy of which has been filed. They further submitted

that the parties have decided to part ways and, therefore, exercising jurisdiction under Article 142 of the Constitution of India, the marriage between the parties may be dissolved by a decree of divorce by mutual consent. Learned counsel for the respondent submitted that already a sum of Rs.15,00,000/- (Rupees fifteen lakhs) has been paid to the petitioner and further a sum of Rs.15,00,000/- (Rupees fifteen lakhs) is being paid today in full and final settlement of the permanent alimony to be paid to the petitioner. Learned counsel for the petitioner has also acknowledged the fact that the entire sum has been received by the petitioner. Learned counsel for the respective parties also drew our attention to the fact that there are certain petitions which are pending between the parties and those petitions may be quashed.

The parties are present before this Court and they have been identified by the learned counsel for the respective parties. When queried by this Court, the parties stated that they have indeed agreed to settle their dispute amicably and seek dissolution of their marriage by a decree of divorce by mutual consent. They also stated that they would abide by the terms of settlement.

In the circumstances, we have taken on record the settlement agreement and perused the same. The application seeking exercise of jurisdiction by this Court under Article 142 of the Constitution of India has also been

filed and taken on record.

Having perused the terms of settlement agreement, we find that they are lawful and there is no legal impediment in accepting the same.

Consequently, on receipt of the amount of Rs.30,00,000/- (Rupees thirty lakhs) by the petitioner herein, the proceedings pending before the various Courts, which are referred to in paragraph 3 of the settlement agreement stands quashed. We do not find any other legal impediment in accepting the terms of the settlement agreement.

Consequently, the marriage between the parties is dissolved by a decree of divorce by mutual consent. The Registry is directed to draw up a decree with the aforesaid terms. The terms of the settlement shall form part and parcel of this order.

In the circumstances, the transfer petition shall stand disposed of in the aforesaid terms.

.....J.  
(B.V. NAGARATHNA)

.....J.  
(PANKAJ MITHAL)

New Delhi;  
May 12, 2023

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s).678/2020

STUTI BHARDWAJ

Petitioner(s)

VERSUS

ASHUDEEP SHARMA

Respondent(s)

(Settlement agreement has been received.

IA No. 57642/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA  
No.57641/2020 - STAY APPLICATION)

Date : 12-05-2023 This matter was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA  
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s)

Mr. Satyendra Kumar, AOR  
Mrs. Sunita Bhardwaj, Adv.  
Ms. Vasundhara Rana, Adv.

For Respondent(s)

Mr. G. Sivabalamurugan, AOR  
Mr. Selvaraj Mahendran, Adv.  
Ms. J. Merlyn Rachel, Adv.  
Mr. C. Adhikesavan, Adv.UPON hearing the counsel the Court made the following  
O R D E R

The application seeking exercise of jurisdiction by this Court under Article 142 of the Constitution of India as well as settlement agreement have been taken on record.

The transfer petition is disposed of terms of the signed order.

All pending applications stand disposed of.

(ARJUN BISHT)  
COURT MASTER (SH)(RENU BALA GAMBHIR)  
COURT MASTER (NSH)

(signed order is placed on the file)