

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4953 OF 2019

(@ Petition for Special Leave to Appeal (C) No.1918 of 2019)

NARENDRA A. CHHABRIA

Appellant (s)

VERSUS

SHLOKHA NARENDRA CHHABRIA

Respondent(s)

O R D E R

Leave granted.

The present proceedings arose out of a *lis* in respect of the interim maintenance. In terms of the order dated 28-01-2019, by agreement of parties, the entire matrimonial dispute was referred to mediation through the Bombay High Court Mediation Centre and an interim arrangement was made to pay current maintenance as also 50% of the arrears of maintenance.

By the consent of the parties, with the assistance of the counsels and the mediators the entire spectrum of the matrimonial disputes have been resolved. The original consent terms have been placed before this Court, a report having

already been received from the Mediator. Schedule I annexed with consent terms contains the list of litigations filed by husband/relatives as also the litigation filed by the wife.

In view of the settlement, all proceedings shall stand withdrawn and a criminal proceeding FIR No.200 of 2019 shall stand quashed.

The disputes about the jewellery kept in locker or otherwise also stand resolved and wife has acknowledged receipt of all her items of stridhan.

Apart from the money already received, the husband is agreed to pay sum of Rs.2,00,00,000/- (Two crores) as gross permanent alimony in respect of all and every claim of the wife, out of which a sum of Rs.36,00,000/- already stands paid and the balance of Rs.1 crore 64 lakhs has been paid in Court through Banker's cheque bearing No.011599 dated 29/03/2019 drawn on HDFC Bank, Andheri West, Seven Bungalows Branch.

It is clarified that this settlement includes all claims of past and future maintenance. The parties are living separately

for nine years and being unable to reconcile their differences have prayed for a divorce by mutual consent before this Court. Undertakings have been given by the parties in paragraph Nos.12, 13, 15 and 16.

The undertakings given by the parties are accepted.

In view of the fact that the parties have been living apart for a long period of nine years, we consider it appropriate to bring the dispute to an end as it is not possible to reconcile and live together.

We consider it appropriate to exercise our jurisdiction under Article 142 of the Constitution of India to grant a decree of divorce by mutual consent to the parties. The marriage solemnized as per Hindu Vedic Rights stands dissolved by way of decree of divorce by mutual consent.

The appeal stands disposed of in terms of the consent terms filed by the parties.

Consent terms shall form part of the order and the order be communicated to all the concerned courts as per Schedule I of the consent terms.

....., J.
(SANJAY KISHAN KAUL)

....., J.
(INDIRA BANERJEE)

NEW DELHI
MAY 9, 2019

ITEM NO.49

COURT NO.14

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.1918/2019

(Arising out of impugned final judgment and order dated 07-12-2018 in WP No.594/2017 passed by the High Court of Judicature at Bombay)

NARENDRA A. CHHABRIA

Petitioner(s)

VERSUS

SHLOKHA NARENDRA CHHABRIA

Respondent(s)

Date : 09-05-2019 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Arun R. Pedneker, Adv.
Mr. Dilip Shinde, Adv.
Mr. Hitesh Kumar, Adv.
Ms. Mukti Chowdhary, AOR

For Respondent(s) Mr. Rajendra V. Pai, Adv.
Mr. Shivaji M. Jadhav, AOR
Mr. Anish R. Shah, adv.
Ms. Qurratulain, Adv.
Mr. Nicholas Choudhury, Adv.
Mr. Brij Kishor Sah, Adv.
Mr. Bandela Kranthi Kumar, Adv.
Mr. Shiv Ram Pandey, Adv.
Mr. S.K. Jain, Adv.
Mrs. Bina Pai, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

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

(POOJA ARORA)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER

(Signed order is placed on the file)