

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO. 945 OF 2020

SWATI SHARMA

...Petitioner(s)

VERSUS

SAMARTH MAHAJAN

...Respondent(s)

ORDER

We have heard learned counsel for the parties.

(2) In this petition, the petitioner-wife has sought for transfer of Divorce Petition bearing H.M.A. No.1709 of 2019 titled "*Sh. Samarth Mahajan v. Smt. Swati Sharma*" pending before the Court of the Principal Judge, Family Court, Tis Hazari Court, Delhi, to the Family Court, Karnal, Haryana.

(3) On the request of learned counsel for the parties, on 13th April, 2022, the matter was referred to the Supreme Court Mediation Centre to explore the possibility of an amicable settlement of the dispute between the parties. In the mediation, the matter was amicably settled between the parties and the Mediation Centre has sent a Settlement Agreement dated 10th August, 2022 duly signed by both the parties and their respective learned advocates containing the terms and conditions governing the settlement. In terms of the Settlement Agreement, the respondent-husband has agreed to pay Rs.20,00,000/- (Rupees Twenty Lakhs) to the

petitioner-wife towards full and final settlement of the permanent alimony. Both the parties have agreed to withdraw the cases filed by them against each other subject to the payment of Rs.20,00,000/- by the respondent-husband to the petitioner-wife including Rs.10,00,000/- (Rupees Ten Lakhs) which is to be kept in the shape of FDR for their minor daughter, Ms. Theia Mahajan.

(4) Both the parties now pray for invoking our jurisdiction under Article 142 of the Constitution of India and seek dissolution of their marriage by granting a decree of divorce by mutual consent.

(5) Having regard to the amicable settlement arrived at between the parties, the marriage between the petitioner-Swati Sharma (wife) and the respondent-Samarth Mahajan (husband) stands dissolved by way of decree of divorce by mutual consent. The Settlement Agreement dated 10th August, 2022 shall form part of this order.

(6) In view of above, Divorce Petition bearing H.M.A. No.1709 of 2019 titled "*Sh. Samarth Mahajan v. Smt. Swati Sharma*" pending before the Court of the Principal Judge, Family Court, Tis Hazari Court, Delhi, is dismissed as withdrawn.

(7) The respondent-husband is directed to pay the petitioner-wife a sum of Rs.20,00,000/- (Rupees twenty lakhs) within a period of four weeks from today, if not paid so far.

(8) All other cases filed by the parties against each other, which are referred in the Settlement Agreement, stand quashed.

(9) The Transfer Petition is, accordingly, disposed of.

(10) Pending applications, if any, shall also stand disposed of.

.....J.
[S.ABDUL NAZEER]

.....J.
[V.RAMASUBRAMANIAN]

**New Delhi;
September 16, 2022.**

ITEM NO.39

COURT NO.4

SECTION XVI-A

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

Transfer Petition(s)(Civil) No(s). 945/2020

SWATI SHARMA

Petitioner(s)

VERSUS

SAMARTH MAHAJAN

Respondent(s)

(mediation report has been received
IA No. 84834/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 84833/2020 - STAY APPLICATION)

Date : 16-09-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Sunil Kumar Verma, AOR
Ms. Prashi Tyagi, Adv.

For Respondent(s) Ms. Jaspreet Gogia, AOR
Mr. Karanvir Gogia, Adv.

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

The Transfer Petition is disposed of in terms of the
signed order.

Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(KAMLESH RAWAT)
COURT MASTER

(Signed order is placed on the file.)