

**IN THE SUPREME COURT OF INDIA**  
**CIVIL ORIGINAL JURISDICTION**  
**TRANSFER PETITION (CIVIL) NO.1171 OF 2019**

**NITI MISHRA DIXIT**

**Petitioner**

**VERSUS**

**AMIT KUMAR DIXIT**

**Respondent**

**O R D E R**

In this transfer petition seeking transfer of proceedings which are presently pending before Civil Judge (Senior Division)-cum-JMFC Vasco Da Gama, Goa, this Court had issued notice on 04.07.2019.

On 14.08.2019, at the request of both the parties, the matter was referred to Supreme Court Mediation Centre.

We are happy to note that the parties have arrived at a Settlement and they have filed Terms of Settlement in this Court, which are already part of the record.

The proceedings were initiated by respondent-husband under Section 13(1)(ia) of the Hindu Marriage Act, 1955, seeking divorce.

Considering the fact that the parties have now arrived at a Settlement, we direct as under:

- a) The proceedings in Matrimonial Petition No.25 of 2019, titled as "*Amit Kumar Dixit v. Niti Mishra Dixit*", pending in the Court of Civil Judge (Senior Division)-cum-JMFC at Vasco Da Gama, Goa is transferred to the Court of Principal Judge, Family Court, Saket, New Delhi.

Though the petition was filed by the respondent-husband seeking divorce under Section 13(1)(ia) of the Hindu Marriage Act, 1955, the parties agree that they shall prefer a joint application seeking divorce by mutual consent.

An application in that behalf shall immediately be filed after the proceedings are transferred to the transferee court.

- b) The parties are directed to appear before the transferee court on 13.12.2019 at 11.00 a.m.
- c) The Family Court at Saket, New Delhi shall immediately take up the matter and record appropriate statements of both the parties as part of the First Motion.

The matter shall thereafter be considered by the concerned Court including whether the Second Motion stage could be dispensed with.

We leave the entirety of the matter to the concerned Court.

- d) In terms of the Settlement, the amount in question shall be paid before the concerned Court soon after recording of the Statement as part of the First Motion.

Rest of the Terms of the Settlement shall immediately be complied with by the parties.

The Court at Vasco Da Gama, Goa is directed to transmit the entire record to the transferee court immediately.

The Registry is directed to immediately send a copy of this Order to both the Courts for compliance.

This transfer petition is disposed of accordingly.

.....J.  
[UDAY UMESH LALIT]

.....J.  
[INDU MALHOTRA]

NEW DELHI;  
NOVEMBER 19, 2019

ITEM NO.15

COURT NO.6

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 (Civil) No.1171/2019

NITI MISHRA DIXIT

Petitioner(s)

VERSUS

AMIT KUMAR DIXIT

Respondent(s)

(FOR ADMISSION; and, IA No.89898/2019 – FOR STAY APPLICATION)

Date : 19-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT

HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Ms. Ankita Agarwal, Adv.  
Ms. Akansha Rai, Adv.  
Ms. Apeksha Rai, Adv.  
Ms. Shweta Yadav, Adv.  
Mr. Nandlal Kumar Mishra, Adv.  
Mr. Kaushal Yadav, AOR

For Respondent(s) Mr. Imtiaz Ahmed, Adv.  
Ms. Naghma Imtiaz, Adv.  
Mr. Ahmed Zargham, Adv.  
For M/s. Equity Lex Associates, AOR

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

(MUKESH NASA)  
COURT MASTER

(SUMAN JAIN)  
BRANCH OFFICER

(Signed Order is placed on the File)