

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION(CIVIL) NO. 1800/2018

AKANSHA RASHMI

PETITIONER(S)

VERSUS

AMIT KUMAR SRIVASTVA

RESPONDENT(S)

WITH

TRANSFER PETITION(CRIMINAL) NO. 87 OF 2019

O R D E R

The application being IA No. 124975 of 2021 has been filed jointly by the petitioner and the respondent praying *inter-alia* that a decree of divorce be granted by this Court dissolving the marriage between the parties by mutual consent.

Several proceedings were filed between the parties particulars whereof have been given in Paragraph-3 of the above-mentioned application.

While the Transfer Petition(C) No. 1800/2018 was pending, the parties have agreed to resolve their disputes by mutual settlement on *inter-alia* the condition that the respondent-husband would pay an amount of Rs. 11 Lakhs to the petitioner-wife as one time

alimony in full and final settlement of all her claims against the respondent-husband.

Upon such payment, the petitioner-wife will withdraw all proceedings against the respondent-husband and his family members including the petition under the Domestic Violence Act pending in the Court of the Additional Chief Judicial Metropolitan Magistrate, 67<sup>th</sup> Court at Borivali, Mumbai, Maharashtra.

The respondent-husband also undertakes to withdraw all the proceedings filed against the petitioner and her family members.

The learned counsel appearing on behalf of the petitioner-wife acknowledges and confirms that the petitioner-wife has duly received the one time alimony of Rs. 11 Lakhs, as agreed.

It is patently clear that the marriage between the parties has broken down irretrievably and the parties have mutually decided to separate.

In exercise of the jurisdiction under Article 142 of the Constitution of India, we grant a decree of divorce under Section 13-B of the Hindu Marriage Act, dissolving the marriage between the petitioner/wife and the respondent/husband by mutual consent.

All the proceedings as mentioned in Paragraph-3 of IA No. 124975/2021 shall stand disposed of. This order shall be communicated to the concerned courts for necessary action to update the records.

IA No. 124975/2021 is disposed of accordingly.

The transfer petitions are disposed of in terms of the settlement.

Pending applications, if any, shall stand disposed of.

..... J.  
[INDIRA BANERJEE]

..... J.  
[J.K. MAHESHWARI]

NEW DELHI;  
MARCH 4, 2022

