

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. NO. 177971 OF 2022

IN

TRANSFER PETITION (CIVIL) NO. 1530 OF 2020

MRS. SMITAL VIVEK SAINI ALIAS
SMITAL WAKALKAR

PETITIONER(S)

VERSUS

MR. VIVEK SAINI

RESPONDENT(S)

O R D E R

This Court had issued notice on 22.02.2021 in the present transfer petition filed at the behest of the petitioner/wife. The parties to these proceedings approached the Supreme Court Mediation Centre. Pursuant to the efforts of the mediator, a settlement is arrived at on 12.10.2022. The Settlement Agreement has been placed on the record.

Both the parties have made a joint prayer expressing that the Settlement Agreement was entered into and executed by them voluntarily and without any coercion. They also prayed that this Court should exercise its jurisdiction under

Article 142 of the Constitution of India and dissolve the marriage between them since all disputes have now been resolved in terms of the Settlement Agreement. The said Settlement Agreement is taken on record.

In pursuance to the Settlement Agreement, the demand draft of Rs.12,00,000/- (Rupees Twelve Lakhs Only) has already been paid by the respondent-husband to the learned counsel for the petitioner-wife.

Having regard to the above, we are satisfied that the settlement entered into between the parties on 12.10.2022 deserves to be accepted, as also the prayer jointly made by the parties in application for decree of divorce in exercise of our powers under Article 142 of the Constitution of India.

We, therefore, direct the marriage between the parties to be dissolved by mutual consent. The registry is directed to draw a decree accordingly.

We further direct that all the proceedings, pending between the parties referred to in paragraph 11 of I.A. No. 177971 of 2022, stand

quashed and set aside.

The transfer petition and I.A. No. 177971 of 2022 stand(s) disposed of in the above terms.

We express our appreciation for the sincere efforts put in by the learned Mediator- Bharat Bhushan Dinker.

Pending applications, if any, stand disposed of.

.....J.
(B.R. GAVAI)

.....J.
(VIKRAM NATH)

New Delhi;
November 21, 2022

ITEM NO.57

COURT NO.9

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). 1530/2020

SMITAL VIVEK SAINI @ SMITAL SHARAD WAKALKAR

Petitioner(s)

VERSUS

VIVEK SAINI

Respondent(s)

(MEDIATION REPORT RECEIVED.

IA No. 134837/2020 - EX-PARTE STAY AND I.A. NO. 177971 OF 2020)

Date : 21-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s)

Ms. Neela Gokhale, Adv.
Ms. Anannya Ghosh, AOR

For Respondent(s)

Ms. Chitragda Rastravara, Adv.
Mr. Manvendra Singh, Adv.
Mr. Dashrath Singh, Adv.
Mr. Abhijeet Singh, Adv.
Ms. Gunjan Negi, Adv.
Mr. Aditya Pratap Singh Chauhan, Adv.
Mr. Aishwarya Mishra, Adv.
Mr. Gp. Capt. Karan Singh Bhati, AOR

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

The transfer petition and I.A. No. 177971 of 2022 are disposed of in terms of the signed order.

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

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)

[Signed order is placed on the file]