

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 1509/2020

SOUMYA SINGH PETITIONER(S)

VERSUS

PRAKASH KUMAR SINGH RESPONDENT(S)

O R D E R

During the pendency of the transfer petition, the parties were referred to the Supreme Court Mediation Centre to explore the possibility of settlement.

Parties have settled their disputes, *vide* the settlement agreement dated 05.04.2023, which is signed by the petitioner - Soumya Singh and the respondent - Prakash Kumar Singh as well as their advocates, and the learned Mediator.

Learned counsel for the parties jointly pray that the settlement agreement dated 05.04.2023 may be taken on record and this Court may exercise its power under Article 142 of the Constitution of India to dissolve the marriage by way of decree of divorce by mutual consent and also quash the proceedings pending *inter se* the parties.

Accordingly, the settlement agreement dated 05.04.2023 is taken on record.

The petitioner - Soumya Singh and the respondent - Prakash

Kumar Singh had got married on 19.02.2019 at Bijuri, District - Anuppur, Madhya Pradesh, but due to differences and disputes they have been residing separately since 15.12.2019.

In view of the settlement agreement, we exercise our power under Article 142 of the Constitution of India, and hereby, dissolve the marriage between the petitioner - Soumya Singh and the respondent - Prakash Kumar Singh by passing a decree of divorce by mutual consent.

We deem it appropriate to order quashing the following proceedings pending *inter se* the parties.

1. Original Matrimonial Suit No. 351 of 2020 titled "*Prakash Kumar Singh v. Soumya Singh*" pending before the Family Court, Jamshedpur, Jharkhand.
2. RCC No. 8587 of 2021 titled "*State of Chhattisgarh v. Prakash Kumar Singh & Ors.*" pending before the VI CJ-II/JMFC, Durg, Chhattisgarh.
3. MJC Criminal No. 149 of 2021 titled "*Soumya Singh v. Prakash Kumar Singh & Ors.*" pending before II-CJ-I/JMFC Durg, Chhattisgarh.

The appellate and revision proceedings filed by the parties arising out of the aforesaid proceedings including WPCR No. 770 of 2021, titled as "*Prakash Kumar Singh & Ors Vs State of Chhattisgarh & Anr*" pending before the High Court of Chhattisgarh at Bilaspur, will be treated as infructuous and accordingly, be treated as

disposed of.

An amount of Rs.12,50,000/- (rupees twelve lakh fifty thousand only) has already been paid to the petitioner - Soumya Singh, which she acknowledges and accepts. The respondent - Prakash Kumar Singh has paid another amount of Rs.12,50,000/- (rupees twelve lakh fifty thousand only) to the petitioner - Soumya Singh. This payment has also been acknowledged and accepted by the learned counsel appearing on behalf of the petitioner - Soumya Singh.

Accordingly, the respondent - Prakash Kumar Singh has paid a total amount of Rs.25,00,000/- (rupees twenty five lakhs only) in terms of the settlement agreement dated 05.04.2023 to the petitioner - Soumya Singh.

The parties would be bound and abide by the said settlement agreement dated 05.04.2023 in letter and spirit.

Accordingly, the transfer petition and pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(PANKAJ MITHAL)

NEW DELHI;
SEPTEMBER 01, 2023.

ITEM NO.17

COURT NO.3

SECTION XVII

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 STransfer Petition(s)(Civil) No. 1509/2020

SOUMYA SINGH

Petitioner(s)

VERSUS

PRAKASH KUMAR SINGH

Respondent(s)

(IA No. 133174/2020 - EXEMPTION FROM FILING O.T.
IA No. 98997/2023 - PASSING APPROPRIATE ORDER OR DECREE UNDER
ARTICLE 142 OF THE CONSTITUTION
IA No. 133172/2020 - STAY APPLICATION)

Date : 01-09-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Shree Prakash Sinha, Adv.
Mr. Rakesh Mishra, Adv.
Ms. Mohua Sinha, Adv.
Mr. Nawalendra Kumar, Adv.
Mr. Shekhar Kumar, AOR

For Respondent(s) Mr. Sahil Tagotra, AOR
Mr. Siddhartha Shukla, 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 application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(Signed order is placed on the file)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR