

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 312/2020

POOJA CHATTERJI ..PETITIONER(S)

VERSUS

SOURABH CHATTERJI ..RESPONDENT(S)

O R D E R

The disputes *inter se* the parties were referred to the Supreme Court Mediation Centre and a report has been received from the Mediation Centre, dated 02.12.2022, enclosing a Settlement Agreement dated 30.11.2022. The Settlement Agreement records that both parties were married on 03.05.2012 as per Hindu Rites but have been living apart since June, 2018. There are no children from the wedlock. The parties have mutually resolved their differences in terms whereof they have stated that they are not able to live together and invoke the jurisdiction of this Court under Article 142 of the Constitution of India to dissolve the marriage by decree of

divorce by mutual consent. There are two other cases instituted by the petitioner-wife under Section 12 of the Protection of women from Domestic Violence Act, 2005 and other one for maintenance under Section 125 Cr.P.C. With the Settlement all the proceedings shall stand closed.

The amount of Rs. 55,00,000/- has been agreed to as the full and final settlement claim of the petitioner towards the permanent alimony and no other amounts would be claimed. This amount is stated to have been already transmitted through RTGS in the bank account of the petitioner. The parties have agreed not to initiate any legal proceeding against each other and would abide by the terms of the settlement Agreement.

The settlement agreement is signed by the parties, their counsels and also by the learned Mediator.

On hearing learned counsel for parties and perusal of the Mediation report, we find no impediment in accepting the settlement which is taken on record.

In terms of the Settlement Agreement, the permanent alimony amount having already paid, we

quash the proceedings initiated by the petitioner-wife mentioned at serial No. 3 at page 3 of the Settlement agreement viz. Pooja Chatterji v. Sourabh Chatterji filed before the Judicial Magistrate, First Class, District court, Bhopal bearing No. MJCR/0000555/2021.

Further the proceedings initiated by the petitioner-wife before the Family Court, Bhopal bearing No. MJC R313/2020 shall also stand withdrawn. The proceedings for divorce (MC/5962/2019) initiated by the respondent-husband of which transfer has been sought in the present proceedings will not survive as we are inclined to accept the prayer for invoking jurisdiction under Article 142 of the Constitution of India for granting divorce to the parties by mutual consent.

In view of our acceptance of the prayer, the decree of divorce be drawn up. The copy of the Settlement Agreement shall form part of the decree sheet.

The transfer petition stands disposed of accordingly.

We appreciate the constructive approach

adopted by the parties, their counsels and the role played by the learned Mediator in bringing the disputes to an end.

.....J.  
[SANJAY KISHAN KAUL]

.....J.  
[ABHAY S. OKA]

NEW DELHI,  
JANUARY 04, 2023.

ITEM NO.1

COURT NO.2

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). 312/2020

POOJA CHATTERJI

Petitioner(s)

VERSUS

SOURABH CHATTERJI

Respondent(s)

(MEDIATION REPORT RECEIVED.  
IA No. 26837/2020 - STAY APPLICATION)

Date : 04-01-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Ms. Manika Tripathy, AOR  
Mr. Ashutosh Kaushik, Adv.  
Mr. Manish Vashist, Adv.  
Mr. Roshan Kumar, Adv.

For Respondent(s) Mr. Shivendra Singh, AOR  
Mr. Dhananjaya Mishra, Adv.  
Mr. Rohan Sharma, Adv.  
Dr. Mukut Nath Verma, Adv.  
Mr. Bikram Dwivedi, Adv.

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

The transfer petition stands disposed of in  
terms of the signed order.

Pending application stands disposed of.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)

[ Signed order is placed on the file ]