

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (Civil) NO.500/2019

SWATI ALIAS NANDINI PANDEY

Petitioner(s)

VERSUS

NEERAJ PANDEY

Respondent(s)

WITH

T.P.(Cr1.) No. 35/2020

O R D E R

IA. No. 157103/2021 IN T.P.(Cr1.) No. 35/2020

Heard.

An application has been filed by the parties seeking divorce by mutual consent in pursuance to a settlement arrived at in mediation on 01.12.2021.

In terms of the settlement, the petitioner husband has to pay a sum of Rs. 10 lakhs towards full and final satisfaction of all claims past and present and future maintenance as well as for permanent alimony, Stridhan, dowry articles etc. and the respondent-wife has agreed to accept the said amount. Out of the said amount a sum of Rs. 5 lakh stands paid and the balance Rs. 5 Lakh has to be paid at the time of invoking the jurisdiction of this Court. It is also prayed that the list of cases pending between the parties as set out in para 5 of the application may be quashed.

The settlement has been signed by both the parties and duly witnessed. The parties are represented before us.

Learned counsel for the petitioner husband states that he has the draft ready for the remaining Rs. 5 lakh which will be handed over to the counsel for the respondent during the course of the day.

In view of the aforesaid averment, we see no impediment in the grant of decree of divorce by mutual consent on grounds of irretrievable breakdown of marriage and thus we invoke our jurisdiction under Article 142 of the Constitution of India for the said purpose.

The cases as set out in para 5 which reads as under stand quashed :-

“ (i) M. Case No. 1055 of 2019 titled as “Swati Pandey vs. Neeraj Pandey” pending before the District Court, Bilaspur, Chhattisgarh,

(ii) Case No. 153 of 2019 titled “Swati Pandey vs. Neeraj Pandey” pending before the District court, Bilaspur, Chhattisgarh.

A decree of divorce is passed dissolving the marriage between the parties.

The application stands disposed of.

The transfer petition also stands disposed of as infructuous in the aforesaid terms.

T.P. (Civil) No.500/2019

In view of the order passed above, this transfer petition also stands disposed of as infructuous.

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

.....J.
[M.M. SUNDRESH]

NEW DELHI;
DECEMBER 17, 2021.

ITEM NO.2 Court 6 (Video Conferencing) SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s). 500/2019

SWATI ALIAS NANDINI PANDEY Petitioner(s)

VERSUS

NEERAJ PANDEY Respondent(s)

(ONLY I.A. NO. 157103/2021 IN CONNECTED T.P.(CRL).NO. 35/2020 TO BE LISTED)

WITH

T.P.(Cr1.) No. 35/2020 (XVI-A)

(IA No. 157103/2021 - PASSING APPROPRIATE ORDER OR DECREE UNDER ARTICLE 142 OF THE CONSTITUTION)

Date : 17-12-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Sameer Shrivastava, AOR
Ms. Priya Kanwat, Adv.

For Petitioner(s)/ Respondent(s) Mr. K. L. Janjani, AOR
Mr. Anil Kumar Pandey, Adv.
Mr. Inder Mohan Singh, Adv.

For Respondent(s) Mr. Anubhav, Adv.
Mr. Yashwant Singh Yadav, Adv.
Ms. Preeti Yadav, Adv.
Mr. Ravi Karhana, Adv.
Mr. Rajesh Kumar, Adv.
Mr. Ankur Jain, Adv.
Mr. Sanchit Jain, Adv.
Mr. Rameshwar Prasad Goyal, AOR

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

IA No. 157103/2021 In T.P.(Cr1.) No. 35/2020

The decree of divorce is passed dissolving the marriage between the parties in terms of the signed order.

Application stands disposed of.

The transfer petition also stands disposed of as infructuous.

T.P(Civil) No 500/2019

The transfer petition also stands disposed of as infructuous in terms of order passed in I.A. No. 157103/2021/T.P.(Cr1.) No. 35/2020.

Pending applications, if any, in both the matter stand disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)

[Signed order is placed on the file]