

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 1912 OF 2016

Lolita Sengupta nee Deb ..Petitioner(s)

Versus

Shamik Sengupta ..Respondent(s)

WITHT.P.(Crl.) No. 145/2017T.P.(Crl.) No. 50/2017T.P.(C) No. 2077/2016T.P.(Crl.) No. 401/2016T.P.(Crl.) No. 402/2016T.P.(Crl.) No.74/2017O R D E R

The parties have settled the matter and this fact was taken note of in the order dated 15th September, 2017. It was also directed that this order shall be worked out in the following manner:

"It is also agreed that the amount of Rs.8 lakhs shall be paid in the following manner:

(a) Rs.3.5 lakhs shall be paid on or before 15.10.2017 along with Rs.25,000/- on account of expenses.

(b) The balance amount of Rs.4.5 lakhs shall be paid on or before 15.02.2018.

The petitioner has agreed to withdraw all the cases before the second instalment is paid.

Learned counsel for the parties also pray that marriage be dissolved by the order of this Court itself. For this purpose, the parties shall appear before the Court on 09.10.2017."

The first instalment of Rs.3.5 lakhs which was to be paid vide order dated 15th September, 2017 stands paid by the Demand Drafts which are given in the Court today.

As noted above, the petitioner has agreed to withdraw all the cases pending before the second instalment is paid. The second instalment is to be paid on or before 15th February, 2018. Since the petitioner is a resident of Bangalore and is working in Bangalore and it may be difficult for her to go to Kolkata for withdrawing the cases, we hereby order that on payment of second instalment of Rs.4.5 lakhs the following cases which are filed by the petitioner shall stand withdrawn:

Cause Title	Court/Tribunal
Lolita Sengupta nee Deb v. Shamik Sengupta, C/821 of 2012	6 th Judicial Magistrate, Sealdah
Lolita Sengupta nee Deb v. Shamik Sengupta, M/165 of 2012	6 th Judicial Magistrate, Sealdah
Lolita Sengupta nee Deb v. Shamik Sengupta, C.R.R 3641 of 2015 [U/s 397 CrPC arising out of M/165 of 2012]	High Court of Calcutta
Lolita Sengupta nee Deb v. Shamik Sengupta, M Ex 19 of 15,, [U/s 125 (3) CrPC]	6 th Judicial Magistrate, Sealdah
Lolita Sengupta nee Deb v. Shamik Sengupta, M Ex 38 of 15,, [U/s 125 (3) CrPC]	6 th Judicial Magistrate, Sealdah
Lolita Sengupta nee Deb v. Shamik Sengupta, M Ex 235 of 16 (for executing the order of interim maintenance in connection with Domestic Violence Act)	6 th Judicial Magistrate, Sealdah
Lolita Sengupta nee Deb v. Shamik Sengupta, Matrimonial Suit 104 of 2013	14 th Additional District Judge, Alipore.

It would be open to the respondent to produce the certified copy of this order in the aforesaid cases before the Court alongwith the proof of payment of Rs.4.5 lakhs and get those cases closed.

Both the parties are present in the Court. They shall abide by the agreement which is entered into before the Mediator, namely, they want the marriage to be dissolved by a decree passed by mutual consent. The decree shall be passed in this behalf. Once the payment of balance Rs.4.5 is made, it is made clear that after the settlement of all the disputes between the parties, no party shall not raise any claim against other party of any nature whatsoever.

The transfer petitions stand disposed of.

.....J.
(A.K. SIKRI)

.....J.
(ASHOK BHUSHAN)

New Delhi,
October 09, 2017.

ITEM NO.53

COURT NO.5

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 (Civil) No. 1912/2016

LOLITA SENGUPTA NEE DEB

Petitioner(s)

VERSUS

SHAMIK SENGUPTA

Respondent(s)

(FOR EX-PARTE STAY ON IA 1/2016 and IA No.54764/2017-EXEMPTION
FROM FILING O.T. and IA No.90182/2017-XTRA)

WITH

T.P.(Cr1.) No. 74/2017 (XVI -A)

(FOR EX-PARTE STAY ON IA 3211/2017 and IA No.54761/2017-EXEMPTION
FROM FILING O.T.)

T.P.(Cr1.) No. 145/2017 (XVI -A)

(FOR STAY APPLICATION ON IA 6644/2017)

T.P.(Cr1.) No. 50/2017 (XVI -A)

(FOR STAY APPLICATION ON IA 2433/2017)

T.P.(C) No. 2077/2016 (XVI -A)

(FOR STAY APPLICATION ON IA 1/2016)

T.P.(Cr1.) No. 401/2016 (XVI -A)

(FOR EX-PARTE STAY ON IA 19388/2016 and IA No.54769/2017-EXEMPTION
FROM FILING O.T.)

T.P.(Cr1.) No. 402/2016 (XVI -A)

(FOR STAY APPLICATION ON IA 19400/2016 and IA
No.54767/2017-EXEMPTION FROM FILING O.T.)

Date : 09-10-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Ranjan Mukherjee, Adv.
Mr.Subhasish Bhowmick, AOR
Mr. Jayatee Chatterjee, Adv.

For Respondent(s) Mr.Ankur Sood, AOR
Mr.Gaurav Ray, Adv.

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

The transfer petitions are disposed of in terms of the
signed order.

(USHA RANI BHARDWAJ)
AR CUM PS

(MALA KUMARI SHARMA)
BRANCH OFFICER

Signed order is placed on the file.