A SHILPA

v.

ABHINAV

(Transfer Petition (C) No.79 of 2008)

B NOVEMBER 21, 2008

[DR. ARIJIT PASAYAT AND DR. MUKUNDAKAM SHARMA, JJ.]

Hindu Law:

C

Matrimonial dispute:

Transfer Petitions – Matrimonial disputes – Consideration of, by Supreme Court Lok Adalat – Settlement of dispute – In compliance with certain directions, a sum of D *rupees forty lakhs by way of demand draft has been deposited by the respondent in the Registry of Supreme Court – Held: Compromise in term of direction/order of Lok Adalat recorded – Demand Draft to be handed over to counsel for the respondent who shall file a receipt from the respondent.*

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Transfer Petition filed by petitioner-wife was considered by the Supreme Court Lok Adalat and the matrimonial disputes between the petitioner and her husband were settled in terms of direction/order of the F **Lok Adalat. In compliance with the direction, the respondent had deposited a sum of rupees forty lakhs by way of demand draft.**

Disposing of the petition, the Court

G **HELD: Respondent has deposited a sum of rupees 40,00,000/- by way of demand draft in the registry of this Court in terms of order dated 4.11.2008. The compromise is recorded in terms of what has been stated in the order dated 6.9.2008 by the Lok Adalat. The demand draft be**

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handed over by the registry to the counsel for the respondent who shall file a receipt from the respondent of having received the draft. [Para 2] [504-C-D]

CIVIL ORIGINAL JURISDICTION: Transfer Petition (Civil) No. 79 of 2008.

Devashish Bharuka for the Petitioner.

P.N. Puri, R.K. Gupta and Reeta Dewan Puri for the Respondents.

The Judgment of the Court was delivered by

DR. ARIJIT PASAYAT, J. 1. This transfer petition was taken up at the Supreme Court Lok Adalat on 6th September, 2008. After hearing the parties the following order was passed:

> "The wife, her father, her husband and his father have appeared in person and presented a joint petition of settlement duly signed by all of them. They have been represented through their counsel. The parties have agreed to settle their dispute on the following terms as enumerated in the petition:
>
> (a) All criminal cases/complaints/FIRs/DDRs, filed by either party would be quashed.
>
> (b) Marriage between the parties would be dissolved by mutual consent divorce.
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> (c) Abhinav, his parents, his brother and Bhabi and his two Mamas would collectively appear before an Aggarwal Sabha and acknowledge their wrongs committed on Shilpa.
>
> (d) In case any of these above seven persons fails to appear before the Sabha, Shilpa can revive her complaints.

(e) The husband and father in law Shri Ashok Gupta will pay Rs.40,00,000/- (Rupees Forty Lakhs) within two months by Demand Draft drawn at Bhiwani in name of Shilpa.

(g) The husband, Shri Ashok Gupta and other five persons will appear before Aggarwal Sabha, Prashant Vihar, Delhi, within one month from today and apologize in writing to the girl and her family members. No further litigation of any nature will be started by parties on this account."

2. It is accepted that a sum of Rs.40,00,000/- by way of demand draft has been deposited in the registry of this Court in terms of order dated 4.11.2008. The compromise is recorded in terms of what has been stated in the order dated 6.9.2008. The demand draft be handed over by the registry to the learned counsel for the petitioner who shall file a receipt from the petitioner of having received the draft. The same shall be done within two weeks from today.

3. The transfer petition is accordingly disposed of.

S.K.S. Petition disposed of.