



**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL
JUDGE & J.M.F.C., AT DEVANAHALLI**

PRESENT

SRI. NATARAJ YADAV .S, M.B.A., L.L.M.,

*Prl. Senior Civil Judge & J.M.F.C.,
Devanahalli.*

Dated this day of 11th June, 2026

M.C.No.34/2026

BETWEEN:

1. Varun Sikand : **Petitioners**
S/o Suneel Singh Sikand
Aged about 40 years,

*R/at: Villa 102, Embassy Boulevard,
Hosahalli North Post,
Near Yelahanka Air Force Base,
Hunasamaranahalli, Bengaluru
Karnataka-562157*

2. Dana Marie Sikand,
D/o Michael Stempien
Aged about 39 years,
R/at: Purva Senium Tower 13,
Apartment 304, Hosahalli,
Bengaluru,
Karnataka-562157

*Also R/at: Villa No.102, Embassy Boulevard,
Billamaranahalli, BLVD Bengaluru,
Karnataka-562157*

(Pets. - By Sri.Sonia.,Advocate)



AND:

Nil

: Respondent

ORDERS

1. *The present petition is filed by the petitioners under Section 28 of the Special Marriage Act, 1954, seeking dissolution of their marriage by a decree of divorce by mutual consent.*

2. *The petitioners have stated that their marriage was solemnized on 01.02.2008 at Boise, USA, bearing Registration No.20080194. Subsequently, the marriage was also religiously performed as per the customs and traditions at Taj Dal Lake, Srinagar on 16.04.2012.*

3. *It is stated that out of the wedlock, the petitioners have three children. The custody of the children is presently with the second petitioner/ mother and the same is not disputed or objected to by the first petitioner/ father.*

4. *During the pendency of the proceedings, the matter was referred to mediation. Both the petitioners appeared before the Mediation Centre and participated in the mediation process. After negotiations, the parties have amicably resolved their disputes and entered into a settlement. The learned Mediator has recorded the settlement and filed a Memorandum of Settlement*



under Section 89 of the Code of Civil Procedure read with Rules 24 and 25 of the Karnataka Civil Procedure (Mediation) Rules, 2005 before this Court.

5. As per the Memorandum of Settlement, the parties have admitted the marriage, the birth of the three children and the fact that the children are presently in the custody of the second petitioner. The parties have agreed that the custody of the minor children shall continue with the second petitioner, who shall be the sole guardian and custodian of the children.

6. It is further agreed that the second petitioner shall have the liberty to relocate anywhere in India or abroad along with the children without objection from the first petitioner. The second petitioner shall have authority to take decisions regarding the education, health and other welfare matters of the children. However, the first petitioner shall be informed about decisions relating to relocation, change of educational institution and other major matters concerning the children.

7. The parties have also agreed regarding visitation rights of the first petitioner. The first petitioner shall be entitled to visitation with the children for two weekends in every month from Friday after school hours until Sunday morning, and he shall pick up and drop the children from the residence of the second petitioner. The first petitioner shall also be entitled to have



custody of the children for 50% of school holidays, vacations and extended long weekends, subject to prior coordination between the parties.

8. The parties have also agreed upon arrangements regarding Face Time/video calls, voice calls, participation in extracurricular activities, birthday events and other occasions concerning the children.

9. It is further agreed that the first petitioner shall have custody of the children for 50% of summer vacation and 50% of winter vacation every year. In case of any serious health emergency requiring hospitalization of the children, upon intimation, the first petitioner may travel and assist in childcare responsibilities until the situation is stabilized.

10. With regard to maintenance and expenses of the children, the first petitioner has agreed to pay a sum of Rs.380,000/- per month in advance to the second petitioner towards the maintenance and expenses of the minor children with effect from January 2026. The said amount shall be credited to the savings bank account of the second petitioner on or before the 30th day of every calendar month. The parties have further agreed for escalation of 3% on the last paid amount commencing from January 2026 until the children attain the age of 19 years and



other expenses are mentioned to be met by the second petitioner.

11. The first petitioner has further agreed to pay a sum of Rs.15 lakhs per year for a period of three academic years towards the educational expenses of the children, aggregating to Rs.45 lakhs as agreed between the parties.

12. The parties have also settled the issue of permanent alimony, wherein the first petitioner has agreed to pay a sum of USD 1,00,000/- to the second petitioner in addition to the amount of Rs.40,00.000/- agreed towards other financial obligations.

13. The petitioners have submitted before the Court that they have voluntarily entered into the settlement, that the terms of settlement are read over and understood by them, and that the same has been entered into without any force, coercion or undue influence.

14. This Court has perused the Memorandum of Settlement and the statements of the petitioners. The settlement appears to be voluntary, lawful and in the interest of the parties and their children. There is no impediment for accepting the settlement and dissolving the marriage by mutual consent.



15. Accordingly, the Memorandum of Settlement filed by the Mediator under Section 89 of CPC read with the Karnataka Civil Procedure (Mediation) Rules, 2005 is taken on record and shall form part of the decree.

16. The marriage solemnized between the petitioners on 01.02.2008 at Boise, USA, bearing Registration No.20080194 and subsequently performed at Taj Dal Lake, Srinagar on 16.04.2012 as per customs and traditions, is hereby dissolved by a decree of divorce by mutual consent under Section 28 of the Special Marriage Act, 1954. Consequently, I proceed to pass the following;

ORDER

The petition filed under Section 28 of the Special Marriage Act is hereby allowed.

The marriage between the petitioners stands dissolved from the date of this order.

The Memorandum of Settlement entered into between the parties shall form part of the decree.



Office is directed to draw the decree accordingly.

No order as to costs.

*(Dictated to the Stenographer on computer, typed by her, revised, corrected and then pronounced by me in the open Court on this the **11th day of June, 2026.**)*

Sd/-
(NATARAJ YADAV .S)
Prl. Senior Civil Judge & JMFC.,
Devanahalli