

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc(Pet.) No. 6350/2023

Vijay Tripathi S/o Ramesh Kumar, Aged About 30 Years, R/o Plot No. 140, Ramgarh House, Virendra Nagar, Infront Of Ongc, Mandore, Jodhpur, And Plot No. B 1201, Kiran Tower, Pg Road, Ekta Nagar, Infront Of Toyota Showroom, Malad West, Linking Road, Mumbai (Maharashtra)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Smt. Divyanshi Purohit W/o Vijay Tripathi, R/o House No. 6, Kabutaro Ka Chowk, Pura Mohalla, Jodhpur Sadar Bazar P.s., Jodhpur, Dist. Jodhpur Metro

-----Respondents

For Petitioner(s)	:	Ms. Laxmi Bohra.
For Respondent(s)	:	Mr. Vikram Rajpurohit, PP with Mr. R.S. Bhati

HON'BLE MR. JUSTICE ARUN MONGA

Order

02/09/2024

1. Learned counsel for the petitioner, inter-alia, contends that at one stage, the petitioner (husband) and the respondent (wife) had decided to amicably part ways. It was mutually decided that marriage be dissolved by way of mutual consent upon payment of lump sum settlement amount to the wife. Subsequently, the wife backed out from the compromise stating that in addition to the lump sum settlement amount, she also wants her 'Stri-dhan'. Learned counsel also points out that the 'Stri-dhan' was also returned to her. And yet, she is not complying with the mutually agreed settlement. On the other hand, she is prosecuting the

petitioner seeking monthly maintenance on the ground that he is a Chartered Accountant. She points out that the petitioner is not a qualified Chartered Accountant and is simply graduate working as an Accountant in a private firm in Mumbai. He is earning a salary of Rs.35,000/-, which is a meagre amount to survive in Mumbai. Notwithstanding, completely unreasonable amount of Rs.25,000/- per month has been awarded to the petitioner, who is working as a Fashion Designer and is fully capable to maintain herself. Her earnings have not been factored while passing the impugned order.

Issue notice.

Given that the petitioner and respondent are a young couple and do not have any child from wedlock and it so appears that they are also keen to amicably settle the dispute instead of resorting to the acrimonious Court procedures, let the matter be referred to the Medication Centre.

The parties shall remain present before the Mediator on 23.09.2024.

Be listed before the Court along with the mediation report on 15.10.2024.

In the meanwhile, since the matter is being referred to the mediation centre for mutual settlement, the operation & effect of the impugned order dated 13.09.2023 shall remain stayed till the next date of hearing.

(ARUN MONGA),J