

**Court No. - 83**

**Case :-** TRANSFER APPLICATION (CRIMINAL) No. - 652 of 2023

**Applicant :-** Surendra Ray

**Opposite Party :-** State of U.P. and Another

**Counsel for Applicant :-** Bed Prakash Rai

**Counsel for Opposite Party :-** G.A.

**Hon'ble Sanjay Kumar Pachori, J.**

Sri Bed Prakash Rai, learned counsel for the applicant and Ms. Soumya Madhyan, brief holder for the State are present.

The present transfer application has been filed to transfer the Case No. 1022 2021, (Priti Ray Vs. Surendra Ray and another), under Section 125 of Cr.P.C. pending in the court of Additional Principal Judge, Family Court No. 1, Varanasi to any other competent court of district Ghazipur.

Learned counsel for the applicants submits that the matter relates to matrimonial dispute and applicant no. 1 (husband) is ready and willing to settle the dispute amicably and keep the opposite party no. 2 with him. In order to show his bona fides the applicant is ready to deposit Rs. 25,000/- to be handed over to the wife on her first appearance. Learned counsel for the applicants urged that the case may be referred to the Mediation Centre of this Court so that the couple may have a chance to settle their dispute on their own terms through mediation.

The Court is also satisfied on the basis of record and the submissions made before it that the nature of litigation is such that there is a chance to resolve the matter through process of mediation and an attempt ought to be made to explore that possibility.

Accordingly, the matter is being referred to the Mediation and Conciliation Centre, High Court, Allahabad. The applicant will deposit Rs.25,000/- within two weeks at the Mediation Centre. In case the amount is deposited, the Mediation Centre will issue notices to both the parties returnable within a period of four weeks.

Out of the same, Rs.22,500/- shall be handed over to the wife on her first appearance with regard to her maintenance and minimum expenses. Rs.2,500/- will remain deposited with the Mediation Centre.

The mediator is allowed three months' time to find out possible solution of the dispute between the parties and send his report to the court regarding the outcome of mediation.

Put up this case as on 18.12.2023 along with report of the mediator.

Till the next date of listing, proceeding of Case No. 1022 2021, (Priti Ray Vs. Surendra Ray and another), under Section 125 of Cr.P.C. pending in the court of Additional Principal Judge, Family Court No. 1, Varanasi, shall remain stayed.

It is made clear that in case of default in depositing the amount as ordered above or on non-participation of the applicant in the mediation proceedings, the interim stay order shall stand automatically vacated.

This case shall not be treated as tied up or part heard to this Court.

**Order Date :- 12.10.2023**

Ishan