

Court No. - 77

Case :- APPLICATION U/S 482 No. - 17515 of 2024

Applicant :- Rakesh Chandra Bajpai And Another

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

Counsel for Applicant :- Rama Pati Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Samit Gopal,J.

1. Heard Sri Rama Pati Tripathi, learned counsel for the applicants, Sri Bade Lal Bind, learned counsel for the State and perused the record.

2. It is submitted by learned counsel for the applicants that Amit Kumar Bajpai the son of the applicants was married to the opposite party no.2 subsequent to which he died on 19.04.2021. It is submitted that the opposite party no.2 has married again on 16.06.2023 and is living with her husband, para 14 of the affidavit has been placed before the Court.

3. Learned counsel for the applicants states that the matter be referred to the Mediation and Conciliation Centre of this Court for an effort to settle the dispute amicably between the parties.

4. In view of the submissions made by learned counsel for the applicants, let the matter be referred to the Mediation and Conciliation Centre of this Court, subject to the applicants depositing a sum of Rs.15,000/- within two weeks from today before the Mediation Centre, the said amount shall be paid to the opposite party no. 2 after conclusion of the process of mediation. In case the amount is deposited, the Mediation Centre will then issue notices to both the parties. Learned mediator shall make an endeavour to conclude the same within two months.

5. Let the matter be listed on 17.10.2024.

6. On that date learned counsels for the parties shall inform the Court regarding outcome of the proceedings of mediation.

7. The Mediation Centre shall also send its report to this Court by the next date.

8. Till the next date of listing, no coercive action shall be taken against the applicants Rakesh Chandra Bajpai and Smt. Rani

Bajpai in Case No. 1835 of 2024 (State Vs. Rakesh Chandra Bajpai and another) arising out of Case Crime No. 416 of 2023, under Section 406 IPC, P.S. Kalyanpur, District Kanpur Nagar (West Commissionerate Kanpur Nagar), pending before the court concerned.

9. It is made clear that in case, there occurs default by the applicants either in depositing the amount before the Mediation and Conciliation Centre of this Court and producing its receipt before the trial court within one week of its deposit or in appearing before the Mediation Centre on the date or dates fixed, the interim order shall cease to be operative and the Mediation Centre shall immediately communicate with the office which in turn shall list the case within a week before the Bench concerned for passing appropriate order in the matter.

Order Date :- 7.8.2024

M. ARIF

(Samit Gopal, J.)