

ITEM NO.6

COURT NO.11

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) NO. 499/2019 IN SLP(C) NO. 10907/2018

SHRADDHA GUPTA

PETITIONER(S)

VERSUS

SUMIT JAIN

RESPONDENT(S)

(IA No. 59258/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 140750/2022 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

MA 2450/2019 in SLP(C) No. 10907/2018 (IX)  
(IA No. 168326/2019 - MODIFICATION OF COURT ORDER)

SLP(C) No. 14759/2018 (IX)  
(IA No. 79396/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 79398/2018 - EXEMPTION FROM FILING O.T., IA No. 79394/2018 - IA FOR SUBSEQUENT EVENTS AND ADDL. DOCUMENTS, IA No. 140733/2022 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 80218/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 29-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s)

6 Mr. Nikhil Nayyar, Sr. Adv.  
Mr. T. V. S. Raghavendra Sreyas, AOR  
Mr. Divyanshu Rai, Adv.  
Mr. Siddharth Vasudev, Adv.

6.1 Mrs. V. D. Khanna, AOR

6.2 Petitioner-in-person

For Respondent(s)

1 Respondent-in-person

**UPON hearing the counsel, the Court made the following  
O R D E R**

**CONMT.PET.(C) NO. 499/2019 IN SLP(C) NO. 10907/2018**

1. We have heard learned Senior Counsel for the petitioner-wife (Shraddha Gupta) and the respondent-husband in-person (Sumit Jain).
2. It is stated that during the pendency of the present proceedings, a decree of divorce has been granted by the Family Court, Patiala House Courts, New Delhi, on 03<sup>rd</sup> October, 2023, and the marriage of the parties stands dissolved. The said decree of divorce has attained finality having been accepted by both sides.
3. The issue before this Court relates to Flat Nos. 1901-1902, A Wing, Cosmic Heights, Bhakti Park, Wadala (East), Mumbai – 400037, co-owned by both the parties in terms of the Sale deeds executed in respect of the said flats.
4. Records reveal that on the basis of the orders passed by this Court on 03<sup>rd</sup> July, 2018, in SLP(Civil) No. 10907/2018, an Architect was appointed as a Commissioner to suggest two alternatives for dividing the two flats that were amalgamated. Based on the said report, the parties signed consent terms on 29<sup>th</sup> October, 2018, in order to settle their *inter se* dispute regarding the flats and the caption Special Leave Petition was disposed of on the basis of the said consent terms. Further, the Family Court was

directed to dispose of the pending divorce petition.

5. Now both the parties are agreeable to dispose of the flats. But there is a dispute as to the manner of apportionment of the sale proceeds and the extent of liability qua the outstanding loan amounts.

6. It has been put to the parties as to whether they would be willing to sit across the table and resolve the said aspect through mediation. Both sides are agreeable to the said suggestion.

7. Accordingly, without prejudice to the rights and contentions of the parties, they are referred to the Supreme Court Mediation Centre. The Coordinator, Supreme Court Mediation Centre, shall appoint a Mediator, before whom the parties shall appear on 15<sup>th</sup> March, 2024 at 2.30 p.m.

8. List on 03<sup>rd</sup> May, 2024, to report settlement, if any. In the event of a non-settlement, the matter shall be heard on merits.

**(POOJA SHARMA)**  
**COURT MASTER (SH)**

**(NAND KISHOR)**  
**COURT MASTER (NSH)**