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ITEM NO.42

COURT NO.8

SECTION XVIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

TRANSFER PETITION (CRL.) NO(s). 28 OF 2013

JAPNEET KAUR SEHDAVE

Petitioner(s)

VERSUS

KAMALJIT SINGH SEHDAVE & ORS.

Respondent(s)

(With appln(s) for stay and office report)

Date: 02/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr. Gaurave Bhargava,Adv.
Mr. Amit Sharma,Adv.

For Respondent(s) Mr. Rajshekar Rao,Adv.
Ms. Gouri Puri,Adv.
Mr. Senthil Jagadeesan,Adv.

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

Heard.

Learned counsel for the parties submit that although two earlier attempts for an amicable settlement have proved fruitless, the parties are not averse to making yet another attempt for an amicable settlement with the help of mediators, to be nominated by this Court.

On behalf of the petitioner-wife, it is further submitted that a settlement through mediation is welcome but respondent no.1-husband ought to deposit in this Court or pay directly maintenance i.e. Rs.30,000 (Rupees thirty thousand) awarded by the Court below in favour of the petitioner-wife with effect from 7th October, 2012. Counsel for respondent no.1 has no objection to making the payment of the maintenance amount directly to the petitioner.

In the circumstances, therefore, we direct respondent no.1 to pay directly to the wife the entire amount of maintenance for the period mentioned above within four weeks from today. We further direct the parties to appear before Mr. Justice Jaspal Singh and Mr. Justice R.S. Sodhi, former Judges of the Delhi High Court, for an amicable settlement by mediation. We request the learned Mediators to spare some time out of their busy schedule to help the parties to arrive at a possible settlement in regard to all outstanding issues. We are not determining the fee payable to the mediators for we consider it more appropriate to leave it open to them to determine the same and direct its deposit in such manner as may be considered just and reasonable having regard to the time and the effort involved in the exercise. We hope and trust that the mediation proceedings will be concluded early and a report submitted to this Court as expeditiously as possible preferably within three months from the date the parties first appear before the mediators. Learned counsel for the parties may contact the learned mediators in this regard and have a date fixed for that purpose.

Pending conclusion of the mediation proceedings we direct that no coercive steps be taken against respondents. This order shall not be understood to mean that respondent no.1 shall not abide by the undertaking given by him to the Court of C.J.M, Shillong, to seek bail from the

competent court at Mohali, Punjab, by 15th July, 2013.

Post after a report is received from the learned mediators.

|(Mahabir Singh)
| Court Master

| (Veena Khera)
| Court Master

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(Copy of the order be given today itself)