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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION(C) NO.262 OF 2013
Amelia Reena JustinPetitioner
Versus
Justin A. Thiraviyam (Diraviam) & Anr.Respondent

O R D E R

This petition has been filed by the petitioner-wife for transfer of Divorce Petition MC No.1267/2011 titled as "Justice A. Thiraviyam (Diraviam) Vs. C. Amelia Reena" pending before the IInd Additional Principal Judge, Family Court at Bangalore to the Family Court, Bandra East, Mumbai.

By order dated 27.09.2013, this Court referred the matter to the Supreme Court Mediation Centre where the parties have arrived at a settlement.

One of the terms of the settlement is that the petitioner and respondent no.1 shall jointly pray for decree of divorce to be passed by this Court. In the facts and circumstances, we are not inclined to accede to the said prayer. Accordingly, Interlocutory Application Nos.3 to 5 of 2014 are rejected.

However, in the light of the settlement, we direct respondent no.1 to pay to the petitioner a sum of Rs.10,50,000/- (Rupees ten lac and fifty thousand) only during the course of the day.

Learned counsel for the respondents has handed over three bank demand drafts bearing nos.122967, 122968 and 122970 each dated 25.11.2013 totalling Rs.10,50,000/- (Rupees ten lac and fifty thousand) only to the learned counsel for the petitioner.

The petitioner and respondent no.1 agree that they will make the first Motion for divorce by mutual consent on 27.01.2014 before the family Court at Bangalore. The balance amount as agreed by the parties shall be paid by respondent no.1 to the petitioner on the second Motion.

We dispose of this transfer petition in terms of the Settlement Agreement dated 16.11.2013 arrived at between the parties. The said Settlement Agreement shall form part of this order.

.....J
[Chandramauli Kr. Prasad]

.....J
[Pinaki Chandra Ghose]

New Delhi;
January 13, 2014.

ITEM NO.54 COURT NO.9 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 (CIVIL) NO.262 OF 2013

AMELIA REENA JUSTIN Petitioner(s)

VERSUS

JUSTIN A. THIRAVIYAM (DIRAVIAM) & ANR Respondent(s)

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

With I.A. Nos.3-5 (Appln(s) for dissolution of marriage)

Date: 13/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Ms. Radhika Kolluru, Adv.
Mr. Nikhil Nayyar, Adv.
Mr. Ambuj Agrawal, Adv.

For Respondent(s) Mr. Anand Sanjay M. Nuli, Adv.
Mr. Lave Kumar Sharma, Adv.
For M/S Nuli And Nuli

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

Interlocutory Application Nos.3 to 5 of 2014 are rejected.
The transfer petition is disposed of in terms of the signed
order.

| (Sanjay Kumar) Court Master | (Indu Satija) |
| | Assistant Registrar | |

(Signed order is placed on the file)