

ITEM NO.62

COURT NO.4

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(s). 236 OF 2013

ALIVA GHOSH

Petitioner(s)

VERSUS

CPL KUNDAN GHOSH

Respondent(s)

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

Date: 22/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s)

Ms. Vandan Mittal,Adv.
Mr. Subhasish Bhowmick,Adv.

For Respondent(s)

Md. Azam Ansari,Adv.for
Mr. Debasis Misra,Adv.

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

The Transfer Petition is disposed of as having become
infructuous.

[SUMAN WADHWA]
AR-cum-PS

[VINOD KULVI]
ASSISTANT REGISTRAR

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 236 OF 2013

ALIVA GHOSH

..PETITIONER(S)

VERSUS

CPL KUNDAN GHOSH

..RESPONDENT(S)

O R D E R

1. Learned counsel appearing for the respondent produces before us a certificate/memo dated 21.7.2013 said to have been issued by the petitioner herein. The certificate/memo reads as under:

"I, Aliva Ghosh, w/o CPL Kundan Ghosh, do hereby certify that I have settled all my disputes with my husband and I want to withdraw both the cases filed by me at Barrackpore, i.e. Maintenance Case (537/2012) dated 28th August, 2012 and PS Case No. 591/2011 dated 09th November, 2011 under Section 498A/406/325 I.P.C. which are pending at Barrackpore Court. I have given this certificate without any force and under influence. I am submitting this certificate in Hon'ble Supreme Court on 22nd July, 2013 through my husband as I am unable to come to Supreme Court on 22nd July, 2013.

Date 21.07.2013.

signed
(Aliva Ghosh)"

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2. The learned counsel appearing for the respondent further states that he would withdraw all the cases pending against the petitioner from various Courts.

3. Since the parties have settled the lis, in our opinion nothing survives in this petition for our consideration and decision. The transfer petition is disposed of as having become infructuous.

4. If for any reason the petitioner disputes the certificate/memo, she is at liberty to make an appropriate application before this Court to recall our order.
Ordered accordingly.

.....J.
(H.L. DATTA)

.....J.
(DIPAK MISRA)

NEW DELHI;
JULY 22, 2013.