

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 447

OF 2010

SUSHMA

Petitioner(s)

VERSUS

MUKESH KUMAR

Respondent(s)

O R D E R

This petition under Section 25 of the Code of Civil Procedure, 1908 has been filed by the wife praying for transfer of the suit for divorce filed by the husband under Section 13 of the Hindu Marriage Act 1955, pending before the Court of Civil Judge (Senior Division) Hapur, U.P.

During the pendency of this transfer petition, the parties were referred to the Supreme Court Mediation Centre and with the efforts of the mediators, the parties have voluntarily arrived at a settlement. The respondent husband Mukesh Kumar during the mediation proceedings on 25.10.2010 agreed to take his wife and daughter back and start the matrimonial home afresh. He took her to the matrimonial home on 29.10.2010 from the Supreme Court Mediation Centre itself and since then the

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respondent and the petitioner have been living together happily as husband and wife at Village Bagadpur, District Ghaziabad (U.P.). Both the parties desist from making any defamatory remarks or allegations against each other either through SMS or other modes of communication. Both the parties have agreed to withdraw all the proceedings pending against each other and for quashing the FIR, if any. The husband has also agreed to withdraw the divorce

petition H.M.A. No.24 of 2009 pending in the Court of Civil Judge, Hapur (U.P.).

We direct the respondent husband to withdraw the aforesaid divorce petition within six weeks from today.

In view of the settlement between the parties, this transfer petition is accordingly disposed of.

.....J
(DALVEER BHANDARI)

.....J
(DEEPAK VERMA)

New Delhi;
January 17, 2011.

ITEM NO.39

COURT NO.4

SECTION XVIA

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

TRANSFER PETITION (CIVIL) NO. 447 OF 2010

SUSHMA Petitioner(s)

VERSUS

MUKESH KUMAR Respondent(s)

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

Date: 17/01/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. H.K. Puri,Adv.

For Respondent(s) Mr. Raj Kumar Tanwar,Adv.
Mr. Debasis Misra,Adv.

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

The respondent husband is directed to withdraw the divorce petition within six weeks from today and the

transfer petition is disposed of in terms of the signed order.

(A.S. BISHT)
COURT MASTER

(NEERU BALA VIJ)
COURT MASTER

(Signed order is placed on the file)