

SUPREME COURT LOK ADALAT

Transfer Petition (C)No.539/2008

SHIKHA SAXENA

... Petitioner (s)

Versus

AJAY HARIHAR SAXENA @ AJAY

... Respondent (s)

(with appln.(s) for stay and office report)

Date : 07/02/2009 The above petition was taken up today for settlement.

MEMBERS OF LOK ADALAT :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner (s)

Mr. Anupam Lal Das, Adv.

Mr. A. Gupta, Adv.

Mr. Brijesh Sharma, Adv.

For Respondent (s)

Mrs. K. Sarada Devi, Adv.

This matter was taken up at the Supreme Court Lok Adalat with the consent of the parties and agreement through their counsel.

The petitioner is present. The respondent is present. Learned counsel for the petitioner and the respondent are present.

The parties held detailed negotiations with the help of mediators and the mediators have submitted a mediation report signed by the parties, their counsel and the mediators, broadly setting out the terms of the settlement. As a few issues had not been sorted out further negotiations were held in our presence. On the basis of the said negotiations parties have settled all their pending disputes in the following manner :

1) The petitioner and the respondent will move a joint petition for divorce. They have agreed to move such a petition by means of an application in the transfer petition.

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2) Petitioner agrees to withdraw the divorce petition filed by her and respondent agrees to withdraw the petition for restitution of conjugal rights filed by him.

3) The respondent also agrees to withdraw the petition under Section 26 of the Hindu Adoption and Maintenance Act pending before the Additional District Judge, Tis Hazari Courts, Delhi.

4) The petitioner agrees to withdraw the Criminal Petition filed before the Police Commissioner, Surat.

In short both parties agree to withdraw all pending proceedings filed against each other (except the joint petition for divorce to be filed).

The respondent will not be liable to pay any maintenance to the petitioner. The respondent is not in a position to pay any maintenance for the daughter at present. If and when his financial position improves he may consider paying maintenance to the daughter but there is no commitment for payment of maintenance by the respondent even to the daughter.

The petitioner shall send her daughter to Delhi for a week every year so that she can spend that time with her father. Before the daughter makes such visit respondent shall send the entire travelling expenses to the petitioner.

The parties hereby confirm that they have no other outstanding issue. The mediation report is placed on record.

(Petitioner) (counsel)

(Respondent) (counsel)

.....J.
(R.V. RAVEENDRAN)

.....J.
(B. SUDERSHAN REDDY)