

ITEM NO.107

COURT NO.10

SECTION XIIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.4696/2013

R.SRINIVAS KUMAR

Appellant(s)

VERSUS

R.SHAMETHA

Respondent(s)

(With office report)

Date : 17/09/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s) Mr. Huzefa Ahmadi, Sr. Adv.  
Mr. Ananga Bhattacharyya, Adv.  
Mr. Rohit Rao N., Adv.

For Respondent(s) Mr. Jayant Kumar Mehta, Adv.  
Ms. Madhavi Khare, Adv.

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

On the first day when the matter was taken up for admission, this Court while observing that "although we do not find any ground to interfere with the impugned judgment on merits, but in view of the submissions of learned counsel for the appellant that there is some possibility of an amicable settlement if the case is referred to mediation", issued notice, limited to this question, to the respondent-wife. Thereafter, by order dated 03.05.2013, leave was granted and the matter was directed to be listed in the month of August, 2013.

On 06.08.2015, learned Senior Counsel for the appellant made a submission that there is an irretrievable break down in the marriage and the dispute could be settled by offering permanent alimony. In view of the submission made by learned Senior Counsel,

by order dated 20.08.2015, we directed both the parties to appear in person before this Court on 17.09.2015.

Today, the respondent-wife who is present in the Court submits that she is ready and willing to live with the appellant-husband but it is the appellant who is so adamant that he does not want to settle their dispute or misunderstanding and resume his marital life.

Mr. Huzefa Ahmadi, learned Senior Counsel appearing for the appellant, submits that this appeal should be heard on merit since leave was granted in the matter.

Learned counsel appearing for the parties submit that in the meanwhile, the matter may be referred to the Supreme Court Mediation Centre to explore the possibility of an amicable settlement.

Accordingly, we refer the matter to the Supreme Court Mediation Centre.

We direct the parties to appear before the Mediation Centre on 30.10.2015. The Mediator would endeavour to explore the possibility of an amicable settlement between the parties and send the Report to this Court.

List the matter after three months along with Mediation Report.

(Sanjay Kumar-II)  
Court Master

(Indu Pokhriyal)  
Court Master