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ITEM NO.41

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). 678 OF 2011

PAVITRA VIPIN SHEWANI @ SWATI HARISH

Petitioner(s)

VERSUS

VIPIN SURESH SHEWANI

Respondent(s)

(With appln(s) for stay and office report)
(Along with mediation report)

Date: 24/01/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Mr. Darshan Paliwal,Adv.
Mr. N.P.Paliwal,Adv.
Mr. S.K. Verma,Adv.

For Respondent(s) Mr. Ashish Verma,Adv.
Ms. Tatini Basu,Adv.

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

The transfer petition is disposed of in terms of the settlement arrived at between the parties and in the light of the signed order placed on the file.

The divorce petition filed by the respondent which is presently pending before the Kalyan Court shall stand abated in view of this order.

[SUMAN WADHWA]
COURT MASTER

[SNEH BALA MEHRA]
COURT MASTER

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 678 OF 2011

PAVITRA VIPIN SHEWANI @ SWATI HARISH ..PETITIONER(S)

VERSUS

VIPIN SURESH SHEWANI

..RESPONDENT(S)

O R D E R

We are pleased to note that parties have settled their disputes

before the Mediation and Conciliation Centre, Delhi High Court. The terms on which the settlement is arrived at are enumerated in the report of the Mediation and Conciliation Centre, dated December 7,2012.

Counsel representing the two sides stated before us that their respective clients have actually settled their disputes in the terms as reported by the Mediation and Conciliation Centre.

One of the terms of the settlement is that the petitioner and the respondent will dissolve their marriage by filing a petition for divorce by mutual consent under Section 13 B of the Hindu Marriage Act before the Karkardooma Court, Delhi on or before January 10,2013.

It is stated that though the respondent came from Bombay to Delhi on 7th January for filing the petition on 10th January, 2013, no petition could be filed as on that date the counsel for the petitioner was engaged else where. Both

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counsel now request the Court to direct the Family Court to waive the waiting period for the second motion and to grant divorce by mutual consent on the very date the application is made.

Having regard to the fact that the parties have settled their disputes and also having regard to the fact that the respondent has to come from Bombay for this purpose, we deem it fit to accede to the request jointly made by both the parties and we accordingly direct the family court to waive the six months' waiting period for the second motion and to pass a decree of divorce declaring the marriage between the petitioner and the respondent to be dissolved on the date of their first appearance.

The transfer petition is disposed of in terms of the settlement arrived at between the parties and in light of this order.

The divorce petition filed by the respondent which is presently pending before the Kalyan Court shall stand abated in view of this order.

.....J.
(AFTAB ALAM)

.....J.
(RANJANA PRAKASH DESAI)

New Delhi,
January 24, 2013.