

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 706 OF 2008

AISHWARYA CHOUDHURY

Petitioner(s)

VERSUS

RAJU ROY

Respondent(s)

(With appln(s) for ex-Parte stay and office report))

Date: 16/02/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Braj K.Mishra, Adv.
Ms.Aparna Jha,Adv.
Mr. Vikram, Adv.
MS. Tanushree Sinha, Adv.

For Respondent(s) Respondent-In-Person

UPON hearing counsel the Court made the following
ORDER

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

(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION) No. 706 OF 2008

AISHWARYA CHOUDHURY

... Appellant(s)

Versus

RAJU ROY

... Respondent(s)

ORDER

Heard.

It appears that when the matter was placed before the
Supreme Court Lok Adalat on 6th September, 2008, the parties agreed
to settle their dispute on the following terms:

"It has been settled between the parties that they agree to a decree of divorce by mutual consent to be granted by the court. Mr. Raju Roy, respondent-husband, has agreed that he will travel to Patna and hand over a draft of Rs. 2.5 lac in the name of the petitioner, Smt. Aishwarya Choudhury. It is also agreed that the respondent, Mr. Roy, will hand over a gold chain, one diamond ring and a gold ring with Ganesha's satute on it to the father of the petitioner, Mr. A.K.Choudhury, at his residence at G-101, Friends Suman Vatika, Arya Kumar Road, Rajendra Nagar, Patna - 800016 (Telephone No. 2689677) on 5th October, 2008 by evening.

It is assured by Sh. A.K.Choudhury, father of the petitioner, that he will accept the abovesaid articles at his residence gracefully and that there is no room for any altercation with the respondent.

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It is further agreed by the respondent, Mr. Raju Roy, that another sum of Rs. 2 lac will be sent by post/courier by way of draft in the name of Smt. Aishwarya Choudhury on or before 6th January, 2009 at the address given hereinabove.

It is further agreed between the parties that upon receipt of the entire payment of Rs. 4.5 lac, the complaint pending before the Sessions Court at Patna would not be pressed by the petitioner and that the same may be quashed in terms of the settlement hereof"

It is stated the the terms of settlement have been worked out and the parties have filed a joint petition in terms of Section 13(B) of Hindu Marriage Act, 1955. In view of the settlement the petition under Section 13(B) of the Hindu Marriage Act, 1955 is accepted, and the marriage is dissolved by mutual consent.

In view of the settlement, the cases filed by the parties against each other in different courts are quashed. The transfer petition is disposed of accordingly.

.....J.
(Dr. ARIJIT PASAYAT)

.....J.
((ASOK KUMAR GANGULY)

New Delhi,
February 16, 2009.