

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

Petition(s) for Special Leave to Appeal (Crl) No(s).6294-6295/2009
(From the judgement and order dated 30/04/2009 and 10.7.2009 in
CRLM No. 9268/2009 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

VIVEK KUMAR & ORS. Petitioner(s)

VERSUS

STATE OF U.P. & ORS. Respondent(s)

(With appln. for exemption from filing c/c of the impugned
judgment and exemption from filing O.T. and stay and seeking
appropriate directions and placing on record terms of settlement
and permission to file additional documents)

Date: 18/03/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Ms. Kamini Jaiswal,Adv.

For Respondent(s) Mr. S.K. Aggarwal, Sr. Adv.
Mr. Rajesh Goyal,Adv.

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

Pursuant of our order dated 29th January, 2010,
the joint petition filed by the parties before the
Ghaziabad Court for grant of divorce by mutual consent
under Section 13(B) of the Hindu Marriage Act, 1955
has been received in this Court.

However, learned counsel for the husband submits
that her client could not be present today as he has to
apply for leave before leaving the place of his
employment.

Learned senior counsel appearing on behalf of
the wife states that his client is present in Court.

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In view of the above, we defer orders in the
case and direct that both the parties shall appear
before the Registrar (Judicial) on 29th April, 2010,
when their statement with regard to the petition for
divorce under Section 13(B) of the said Act shall be
recorded.

The matter shall be listed before the Court for
further orders on 30th April, 2010.

It is also pointed out by learned counsel for
the petitioner that the complaint filed by respondent
No. 3 under the Domestic Violence Act is still pending
before the Additional Chief Judicial Magistrate,
Ghaziabad. Learned senior counsel for the said
respondent submits that an application for withdrawal
of the said complaint has already been filed.

Court Master

Court Master