

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 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(s) for exemption from filing c/c of the impugned Judgment, exemption from filing O.T., stay and office report)

Date: 15/01/2010 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.
 Ms. Shomila Bakshi, Adv.

For Respondent(s) Mr.S.K. Aggarwal, Sr. Adv.
 Mr. Rajesh Goyal, Adv.
 Mr. Sudhankar Dwivedi, Adv.
 Mr. Pankaj Garg, Adv.

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

On the oral request of learned counsel for the petitioners, Smt. Sugandha Jindal is impleaded as party respondent. Amended memo of parties name shall be filed during the course of the day.

As per the report submitted by the Delhi High Court Mediation and conciliation Centre, an amicable settlement has been arrived at between the parties. A copy of the settlement agreement dated 3rd December, 2009, has also been forwarded to this Court.

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Learned counsel for the parties submit that in terms of the said settlement, a decree for divorce by mutual consent has to be passed and for that purpose, the parties shall file an application under Section 13B(2) of the Hindu Marriage Act, 1955 before the competent Court at Ghaziabad where some other proceedings are also stated to be pending.

Learned counsel further submit that the said application shall be filed within two days.

In view of the submission, let this matter be listed for further orders on 29th January, 2010.

In the meanwhile, further proceedings in proceedings arising out of FIR No. 296/2008 and Crime No. 461/2008 pending in the Court of 1st Additional Chief Judicial Magistrate, Ghaziabad, proceedings arising out of FIR no. 652/2008 pending in the Court of Chief Judicial Magistrate, Ghaziabad, Case No. 1143/2008 pending before Civil Judge, Senior Division,

Ghaziabad and Case No. 324/2008 pending in the Family Court, Kanpur shall remain stayed.

[Charanjeet Kaur]
Court Master

[Pushap Lata Bhardwaj]
Court Master