

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). 1085 OF 2009

B.KAMINI

Petitioner(s)

VERSUS

K.C.NALLANNAN & ORS.
(With appln(s) for stay and office report)
With T.P.(C) No. 1060/09

Respondent(s)

Date: 04/05/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s)

Mr. P. Narasimhan,Adv.

For Respondent(s)

Mr. Subramonium Prasad,Adv.

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

The Transfer Petition is disposed of in terms of the signed
order.

(Ganga Thakur)
PS to Registrar

(Juginder Kaur)
Court Master

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

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 1085 OF 2009

B.KAMINI

Petitioner(s)

VERSUS

K.C.NALLANNAN & ORS.

Respondent(s)

WITH T.P.(C) NO.1060 OF 2009

O R D E R

Transfer petition (C) No.1085/09 has been filed
on behalf of the wife praying for transfer of Suit No.
262/2008, filed by the husband before the Court of

Civil Judge, Ranipet, Vellore District, Tamil Nadu, to the District Court, Faridabad.

Transfer Petition (C) No. 1060/09, has also been filed on behalf of the wife praying for transfer of Divorce Petition HMOP No. 92/2007, pending before the same Court for similar relief.

While the matter was pending in this Court, the parties agreed to solve their disputes through mediation. Accordingly, the matter was referred to the Supreme Court Mediation Centre on 8th March, 2010, and a settlement appears to have been arrived at between the parties which has been forwarded by the Mediation

Centre by letter dated 23rd March, 2010. Clause (2) of the Settlement, duly witnessed by the parties and their relatives and also their respective Advocates,

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provides that the husband will pay a sum of Rs.5,50,000/- (Rupees Five Lakhs Fifty Thousand only) by way of full and final settlement to the wife so as to bring the entire matrimonial dispute to an end. The said amount is to be paid in two instalments, of which the first instalment of Rs.2,00,000 (rupees Two lakhs only) is to be paid by way of Demand Draft in the name of the wife today. The second instalment is to be paid in the name of the minor by way of Fixed Deposit on the date when the decree for mutual divorce is passed.

It may be indicated that a joint application has been made before this Court under Section 13-B of the Hindu Marriage Act, 1955, for the said purpose. As per the aforesaid condition, the husband has brought a Demand Draft No.3177 dated 20th April, 2010 drawn on ICICI Bank in favour of the wife for a sum of Rs.2,00,000/-. The same has been handed over in Court by the learned Advocate for the husband to the learned

Advocate for the petitioner-wife. It may also be recorded that by virtue of clauses 8 and 9 of the settlement, the parties have agreed that they would withdraw all the pending civil and criminal proceedings arising from the matrimonial dispute and that the Transfer Petitions could be disposed of in terms of the Settlement.

As far as the petition under Section 13-B of the

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Hindu Marriage Act, 1955, is concerned, let the same stand transferred to the Court of District Judge, Faridabad, Haryana, for disposal in accordance with law.

The Transfer Petitions are, accordingly, disposed of with the aforesaid directions in view of the settlement arrived at between the parties.

.....J.
(ALTAMAS KABIR)

.....j.
(CYRIAC JOSEPH)

.....J.
(H.L. GOKHALE)

New Delhi,
May 4, 2010.