

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 47 OF 2020

Neha Niharika

...Petitioner(s)

VERSUS

Aseem Srivastava

...Respondent(s)

O R D E R

We have heard learned counsel for the parties.

(2) In this petition, the petitioner-wife has sought for transfer of the Regular Suit No.1210 of 2019 titled “Aseem Srivastava vs. Dr. Neha Niharika” pending before the Court of Principal Judge, Family Court, Lucknow, Uttar Pradesh, to the Principal Judge, Family Court, Nagpur, Maharashtra.

(3) On the request of learned counsel for the parties, on 5th May, 2022, the matter was referred to the Supreme Court Mediation Centre to explore the possibility of an amicable settlement of the dispute between the parties. In the mediation, the matter was amicably settled between the parties and the Mediation Centre has sent a Settlement Deed/Agreement dated 17th June, 2022 duly signed by both the parties and their respective learned advocates containing the terms and conditions governing the settlement. In terms of the

Settlement Agreement, the respondent-husband has agreed to pay a total sum of Rs.32,50,000/- (Rupees Thirty-Two Lakhs Fifty Thousand only) to the petitioner-wife as full and final settlement towards her maintenance. As per the Settlement Agreement, both the parties have agreed to withdraw the cases filed by them against each other.

(4) Both the parties now pray for invoking our jurisdiction under Article 142 of the Constitution of India and seek dissolution of their marriage by granting a decree of divorce by mutual consent.

(5) Having regard to the amicable settlement arrived at between the parties, the marriage between the petitioner-Neha Niharika (wife) and the respondent-Aseem Srivastava (husband) stands dissolved by way of decree of divorce by mutual consent. The Settlement Agreement dated 17th June, 2022 shall form part of this order.

(6) The respondent-husband handed over a cheque bearing number 528621 dated 17.06.2022 for a sum of Rs. 10,00,000/- to the petitioner-wife in the Supreme Court Mediation Centre on 17.06.2022, and a demand draft of Rs.22,50,000/- on 01.08.2022 to the learned counsel of the petitioner-wife in the Court.

(7) In view of above, Regular Suit No. 1210 of 2019 titled "Aseem Srivastava vs. Neha Niharika" pending before the Court of Principal Judge, Family Court, Lucknow, Uttar Pradesh is dismissed as withdrawn.

(8) All other cases, if any, filed by the parties against each other stand quashed.

(9) The Transfer Petition is, accordingly, disposed of.

(10) The parties shall abide by the terms and conditions as contained in the Settlement Agreement dated 17th June, 2022 without fail.

(11) Pending applications, if any, shall also stand disposed of.

.....J.
[S. ABDUL NAZEER]

.....J.
[V. RAMASUBRAMANIAN]

**New Delhi;
December 12, 2022.**

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

Transfer Petition(s)(Civil) No(s). 47/2020

NEHA NIHARIKA

Petitioner(s)

VERSUS

ASEEM SRIVASTAVA

Respondent(s)

(IA No. 6030/2020 - EX-PARTE STAY
IA No. 6031/2020 - EXEMPTION FROM FILING O.T.)

Date : 12-12-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE V. RAMASUBRAMANIANFor Petitioner(s) Mr. Suryodaya Prakash Tiwari, Adv.
Mr. Shachi Pandey, Adv.
Mr. Pankaj Singh, Adv.
Mr. Ranjana Singh, Adv.
Mr. Abhishek Mohan, Adv.
Mr. Keshari Kumar Tiwari, Adv.
Mr. Rakesh Kumar Tiwari, Adv.
Mr. Sanjay Kumar Dubey, AORFor Respondent(s) Mr. Rajesh Kumar Pandey, Adv.
Ms. Meenakshi Parihar, Adv.
Mr. Abhishek Srivastva, Adv.
Mr. Pushkar Anand, Adv.
Mr. Ashish Kumar Pandey, Adv.
Mr. S. R. Setia, AORUPON hearing the counsel the Court made the following
O R D E RThe Transfer Petition is disposed of in terms of the
signed order.

Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS(KAMLESH RAWAT)
COURT MASTER

(Signed order is placed on the file.)