

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 747/2018

AKANKSHA

PETITIONER(S)

VERSUS

ANUPAM MATHUR

RESPONDENT(S)

O R D E R

1. The petitioner approached this Court seeking for transfer of HMA No.501 of 2018 titled Sh. Anupam Mathur v. Smt. Akanksha pending before the Court of the Principal Judge, Family Courts, Dwarka, New Delhi to the Court of Principal Judge, Family Court, Anand at Gujarat.

2. During the pendency of this matter before this Court, the parties have entered into an amicable settlement between them. They have filed I.A. No.132527/2018 producing the Terms of Compromise signed on 13.09.2018, which is already on record and it shall form part of this order.

3. In terms of the Compromise, the parties have filed a Joint Application under Section 13B of the Hindu Marriage Act, 1955. Both, the husband and the wife are present before us, who are well educated. We had a long interaction with them. We are

convinced that they have taken a conscious decision to part as friends.

4. Having regard to the background of the litigations between the parties, we are convinced that there is no point in requiring the parties to wait for another six months. Accordingly, the period between first motion and the second motion is waived.

5. The marriage between Ms. Akanksha and Mr. Anupam Mathur is dissolved by a decree of divorce by mutual consent. In terms of the settlement, the complaint dated 17.12.2017 pending before the Chief Judicial Magistrate, Anand, Gujarat is quashed. The Application No.28 of 2018 pending before the Chief Judicial Magistrate, Anand, Gujarat is also dismissed. In terms of the settlement, Mr. Anupam Mathur has handed over a Demand Draft for a sum of Rs.12,50,000/- (Rupees Twelve Lacs Fifty Thousand only) to Ms. Akanksha, which she has duly acknowledged.

6. In view of the above, HMA Petition No. 501 of 2018 pending before the Court of the Principal Judge, Family Courts, Dwarka, New Delhi, is disposed of.

7. The transfer petition is, accordingly, disposed of.

8. Pending application(s), if any, shall stand disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[SANJAY KISHAN KAUL]

NEW DELHI;
SEPTEMBER 25, 2018.

ITEM NO.17

COURT NO.4

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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(FOR ADMISSION and IA No.66747/2018-EX-PARTE STAY)

Date : 25-09-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Ms. Manisha T. Karia, AOR
Ms. Saumya, Adv.
Mr. Shashank S. Mangal, Adv.

For Respondent(s) Mr. Rakesh K. Khanna, Sr. Adv.
Mr. Dushyant Parashar, AOR
Mr. Shefali Jain, Adv.
Ms. Drishti Rathore, Adv.
Mr. D.K. Goshwami, Adv.

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

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

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)