

Shweta Mehra vs Vinay Mehra on 10 January, 2020

Bench: S. Abdul Nazeer, Sanjiv Khanna

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.2094 OF 2018

SHWETA MEHRA

... PETITIONER

VERSUS

VINAY MEHRA

... RESPONDENT

O R D E R

1. In this case petitioner has sought transfer of Case No. 1331 of 2018 pending in the Family Court No. 1, Jaipur (Rajasthan) titled case “Vinay Mehra vs. Shweta Mehra” to the competent court at Gautam Budh Nagar, Noida (U.P.).

2. On the request of the learned counsel for the parties, the case was referred to mediation to explore the possibility of settlement of the dispute between the parties. In the mediation, the matter was settled between the parties and the mediation centre has sent settlement agreement dated 18th November, 2019 signed by the parties and their respective advocates, containing the terms and conditions of the settlement.

3. The petitioner-wife and the respondent-husband are present before us. We had an interaction with them. We are convinced that they have taken a conscious decision to part as friends.

4. Having regard to the background of litigation between the parties and other circumstances, we are convinced that there is no point in requiring the parties to continue to live as husband-wife. Hence, we declare that the marriage between the petitioner Shweta Mehra and the respondent Vinay Mehra stands dissolved by a decree of divorce by mutual consent.

5. In terms of the settlement, Case No. 777 of 2017 and Case No. 41 of 2018 pending before the Family Court at Ghaziabad, Uttar Pradesh are dismissed.

6. Case No. 1151 of 2018 pending before the Judicial Magistrate, Ghaziabad, Uttar Pradesh is hereby quashed. Case pending before the ACJM filed by the petitioner wife arising out of FIR No. 128 of 2018, P.S. Mahila Thana, Khoda, Ghaziabad, is also quashed. Case No. 971 of 2019 pending before the Judicial Magistrate (Senior) No. 2, Jaipur Metro, Jaipur, Rajasthan is also quashed.

7. In terms of the settlement, respondent Mr. Vinay Mehra has handed over a demand draft for Rs. 11,50,000/- (Rupees Eleven Lakhs Fifty Thousand only) to the petitioner Ms. Shweta Mehra which she has duly acknowledged. Balance of Rs. 11,50,000/- and Rs. 40,000/- (Total Rs. 11,90,000/-) shall be paid by the respondent to the petitioner within a period of three months from today. The other terms and conditions of the settlement agreement shall be complied with by the parties in terms of the settlement agreement. The settlement agreement is made a part of this order.

8. In view of the above, Case No. 1331 of 2018 pending before the Family Court No. 2, Jaipur, Rajasthan is disposed off in the aforesaid terms.

9. The transfer petition is accordingly disposed of.

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

.....J. (S. ABDUL NAZEER)J. (SANJIV KHANNA) New Delhi;

January 10, 2020.

ITEM NO.35

COURT NO.14

SECTION XVI-A

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.2094/2018 SHWETA MEHRA Petitioner(s) VERSUS VINAY MEHRA Respondent(s) (FOR ADMISSION and IA No.177361/2018-STAY APPLICATION and IA No.177363/2018-EXEMPTION FROM FILING O.T. IA No. 177361/2018 - STAY APPLICATION) Date : 10-01-2020 These matters were called on for hearing today. CORAM : HON'BLE MR. JUSTICE S. ABDUL NAZEER HON'BLE MR. JUSTICE SANJIV KHANNA For Petitioner(s) Mr. Raj Kishor Choudhary, AOR Mr. Shakeel Ahmed, Adv.

Ms. Sheeba Fakhruddin Adil, Adv.

Mr. Anupam Bhati, Adv.

Mr. Nakul Chaudhary, Adv.

Ms. Malvika Raghavan, Adv.

Mr. Vikramjeet Singh Ranga, Adv.

Mr. Kareem Ansari, Adv.

Mr. Kunwar Jai Singh, Adv.

Mr. Yadaiah Jetti, Adv.

For Respondent(s) Mr. Susshil Daga, Adv.

Mr. Pallav Mongia, AOR UPON hearing the counsel the Court made the following O R D E R
Transfer Petition is disposed in terms of signed order. Pending application(s), if any, shall also stand
disposed of.

(RACHNA)
SENIOR PERSONAL ASSISTANT

(RAJINDER KAUR)
BRANCH OFFICER

(Signed order is placed on the file)