

K. Anand Rao vs K. Padma on 27 January, 2020

Bench: Sanjay Kishan Kaul, Vineet Saran

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ITEM NO.37

COURT NO.11

SECTION XII-A

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 (C)

No(s). 11494/2017

(Arising out of impugned final judgment and order dated 24-09-2014 in CMA No. 1412/2004 passed by the High Court Of Judicature At Hyderabad For The State Of Telangana And The State Of Andhra Pradesh)

K. ANAND RAO

Petitioner(s)

VERSUS

K. PADMA

Respondent(s)

IA No. 1/2017 - CONDONATION OF DELAY IN FILING

Date : 27-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s)

Mr. Ratnakar Dash, Sr. Adv.
Ms. Promila, AOR
Ms. Aaina Verma, Adv.
Mr. Mayank Sharma, Adv.

For Respondent(s)

Mr. Goli Rama Krishna, Adv.
Mr. Sumanth Nookala, AOR

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

Delay condoned.

The settlement agreement through the process of mediation has been placed on record dated 09.01.2020. Learned counsel for the parties state that the parties will abide by the settlement.

In terms of the settlement, a sum of Rs.6 lakhs has to be paid for which the petitioner has brought a demand draft No.346052 dated 17:37:43 IST Reason:

22.01.2020 drawn on Andhra Bank in this Court which is handed over to learned counsel for the respondent.

The proceedings mentioned in para 5 of the agreement i.e. M.C. No.40 of 2003 under Section 125 Cr.P.C. titled as K. Padma v. K. Anand Rao pending before the 2nd Additional Judicial Magistrate, First Class, Ongole, Andhra Pradesh shall stand withdrawn/quashed.

In view of the settlement arrived at, it has been agreed, as set out in the settlement that the respondent has no further claim or claims of any movable or immovable property either jointly held or ancestral or individual and all claims of the respondent stand satisfied and that the parties would not initiate any further civil or criminal proceedings against each other. The parties have also prayed for a decree of divorce by mutual consent by invoking the jurisdiction of this Court under Article 142 of the Constitution of India.

On hearing learned counsel for the parties and perusing the settlement agreement, we think that there is no impediment in granting the decree of divorce under Section 13B of the Hindu Marriage Act, 1955 by invoking our jurisdiction under Article 142 of the Constitution of India. Decree of divorce be drawn up accordingly.

The parties shall remain bound by all the terms and conditions of the settlement dated 09.01.2020.

We appreciate the role played by the Mediator/Co-Mediator and learned counsel for the parties in bringing this dispute to an end and also appreciate the stand taken by the parties to resolve this dispute.

The Special Leave Petition is disposed of accordingly. Pending application, if any, stands disposed of. The Registry to release the travelling expenses to the respondent which have been deposited by the petitioner.

(ASHA SUNDRIYAL)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER