

A APARNA GOYAL
v.
RAKESH GOYAL
(Transfer Petition (C) No. 91 of 2008)

B JANUARY 27, 2009

**[DR. ARIJIT PASAYAT, DR. MUKUNDAKAM SHARMA
AND H.L. DATTU, JJ.]**

C *Matrimonial dispute – In Lok Adalat, with the help of
mediators settlement arrived at – SLP and Transfer Petition
disposed of the following terms:*

- D (1) *A sum of Rs.10 lacs which has been deposited
with the Registry of this Court be handed over to
Smt. Aparna Goyal, the wife.*
- E (2) *In view of the agreement, proceedings in Case
No.259/2003 pending before learned Metropolitan
Magistrate, New Delhi, Patiala House Court and
Case No.1011/1/2003 filed under Section 125 of
the Code of Criminal Procedure, 1973 (in short the
'Code') (the aforesaid two cases were filed by
Smt. Aparna Goyal, the wife) and HMA No.37/
2006 filed by the husband seeking divorce
pending before District Judge, Muktsar, Punjab
stands disposed of.*
- F (3) *In HMA No.37/2006 the divorce by mutual
consent be passed in terms of Section 13B(1) and
13B(2) of the Hindu Marriage Act, 1956 by
dissolving the marriage between the husband
Rakesh and Aparna Goyal, the wife in terms of this
order.*
- G

H CIVIL ORIGINAL JURISDICTION : Transfer Petition (C) No.
91 of 2008.

WITH

T.P. (Crl.) Nos. 183-184 of 2008 and S.L.P. (Crl) Nos. 6900-6902 of 2007.

K.B. Rohtagi, Aparna Rohtagi Jain, Mahesh Kasana and Sandhya Goswami for the Petitioner.

A. Sharan, A.S.G., M.K. Monga, P.D. Tiwari, P. Narasimhan, S. Balaji, Gaurav Agrawal, S. Kaushik, Anil Katiyar and D.S. Mahra for the Respondent.

The Judgment of the Court was delivered by

DR. ARIJIT PASAYAT, J. 1. Special Leave Petitions Nos.6900-6902 of 2007, TP (Crl.) Nos. 183-184 of 2008 and TP (Civil) No.91 of 2008 are taken up together.

2. Parties to the dispute i.e. Smt. Aparna Goyal-petitioner (hereinafter referred to as the 'wife') and Rakesh Goyal (hereinafter referred to as the husband) had appeared at the Supreme Court Lok Adalat held on 6.12.2008. With the intervention of the mediators the parties agreed to settle their disputes. It was agreed that the parties (husband and wife) want divorce by mutual consent and also agreed not to proceed in the pending criminal and civil disputes. A sum of Rs.10,00,000/- has been agreed to be paid by the husband to the wife in full and final settlement of her claims relating to the marriage. A sum of Rs.10 lacs by way of draft drawn in the favour of Registrar-General of this Court has been presented. The Special Leave Petitions and Transfer Petition are disposed of on the following terms:

(1) A sum of Rs.10 lacs which has been deposited with the Registry of this Court be handed over to Smt. Aparna Goyal, the wife.

(2) In view of the agreement, proceedings in Case No.259/2003 pending before learned Metropolitan Magistrate,

A New Delhi, Patiala House Court and Case No.1011/1/2003
filed under Section 125 of the Code of Criminal Procedure,
1973 (in short the `Code') (the aforesaid two cases were
filed by Smt. Aparna Goyal, the wife) and HMA No.37/2006
B District Judge, Muktsar, Punjab stands disposed of.

3. In HMA No.37/2006 the divorce by mutual consent be
passed in terms of Section 13B(1) and 13B(2) of the Hindu
Marriage Act, 1956 by dissolving the marriage between the
C husband Rakesh and Aparna Goyal, the wife in terms of this
order.

4. The petitions are accordingly disposed of.

G.N.

Petitions disposed of.