

SUPREME COURT OF INDIA

Hitendra Manubhai Patel

Vs.

Kamaxi Hitendra Patel

Crl.A.No.605 of 2017

(Kurian Joseph and R.Banumathi,JJ.,)

28.03.2017

JUDGMENT

Kurian Joseph,J.,

SLP(Crl.)No.401 of 2017

1. Leave granted.
2. The parties (husband and wife) are present before this Court today. They have been in litigation before different Fora and they have been running into several litigations.
3. Having sensed a ray of hope for an amicable settlement, this Court required the presence of the parties. On their appearance, we asked the parties whether they would like to have the assistance of a mediator. On a positive response to the suggestion, we sought the assistance of Mr.Jitender Mohan Sharma, learned senior counsel, and Ms. Gauri Neo Rampal, learned counsel, both of whom were present in Court. They have graciously accepted the request made by the Court.
4. It is heartening to note that the parties have reached a settlement and they have decided not to litigate any further.
5. The appellant and the respondent are highly educated persons. They have three children also. We expect that they will abide by the settlement agreement in its true spirit. The settlement agreement duly signed today i.e. on 28.03.2017 by the parties, their respective counsel and the learned mediators, shall form part of this Judgment. The appeal is disposed of in terms of the said settlement agreement. We request both the parties to bring up their children in love, regard and respect towards both parents. Children have a right to have it and a duty to reciprocate to both parents.
6. We record our deep appreciation to yeoman services of the learned mediators Sh. Jitender Mohan Sharma, learned senior counsel and Ms. Gauri Neo Rampal, learned counsel.

7. The Registry is directed to supply a duly signed copy of the settlement agreement to the parties.

8. In view of the above, both the parties are restrained from entering into any fresh litigation against each other, without leave of this Court.