

SUPREME COURT OF INDIA

Tarvinder Singh

Vs.

Gurupreet Kaur

C.A.No.11470/2018

(Kurian Joseph and Hemant Gupta,JJ.,)

28.11.2018

JUDGMENT

Kurian Joseph,J.,

SLP (C)No.25257/2017

1. Leave granted.

2. The appellant approached this Court aggrieved by the order dated 25.07.2017 passed by the High Court of Karnataka at Bangalore in Writ Petition No.16335/2016. As per the impugned order, the High Court declined to interfere with the order passed by the Trial Court on an application filed under Order VI Rule 17 of the CPC for amendment in the pleadings in the divorce petition filed by the appellant.

3. When the matter came up before this Court, sensing that there is an element of Settlement, we directed the parties to be present before this Court and with their consent they were referred to Ms. Shalini Shishodia, who is a trained Mediator. Learned Mediator has forwarded a Settlement Agreement dated 28.11.2018 signed by the parties and their respective counsel and also the learned Mediator which is on record. The Settlement Agreement dated 28.11.2018 shall form part of the order/decreed.

4. It is seen that the parties have decided to part ways. In terms of the Settlement Agreement, the parties have filed a joint application under Section 13-B of the Hindu Marriage Act, 1955. The parties are present before us. We have interacted with them. We are also convinced that they have taken a conscious decision. We are also satisfied that having regard to the background of the litigations, it is not necessary for the parties to go through the regular process. Therefore, the application is taken on Board and it is allowed. The marriage between Mr. Tarvinder Singh and Ms. Gurupreet Kaur is dissolved by a decree of divorce by mutual consent. We direct the parties to abide by the terms of the Settlement Agreement dated 28.11.2018.

5. In terms of the Settlement, the appellant has handed over a Demand Draft for a sum of Rs.15 Lacs in the name of the child-Simar Singh, which has been duly acknowledged by the respondent.

6. In terms of Settlement Agreement, M.C. No.248 of 2013 pending before Principal Judge, Family Court, Bangalore is disposed of and the proceedings in CC No.13518 of 2014 pending before Chief Metropolitan Magistrate, Bangalore are quashed. The appeal is disposed of.

7. We record our sincere appreciation for the arduous efforts taken by Ms. Shalini Shishodia, learned Mediator, to assist the parties to arrive at an amicable settlement of all their disputes, which were pending for the last seven years. We also record our appreciation for the efforts taken by the learned counsel for the parties for assisting the parties to take their life forward.

8. Pending applications, if any, shall stand disposed of.

9. There shall be no orders as to costs.