

Court No. - 80

Case :- CRIMINAL MISC. WRIT PETITION No. - 4844 of 2015

Petitioner :- Ravindra Arora @ Ravi

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Swetashwa Agarwal, Anurag Pathak, Ashish Singh, Harshit Pathak

Counsel for Respondent :- Govt. Advocate, Chandra Shekhar Kushwaha, Jeevan Prakash Sharma, Srikant Tiwari

Hon'ble Subhash Chandra Sharma, J.

List revised. None appeared on behalf of the respondents even in the revised call.

Heard learned counsel for the petitioner as well as learned A.G.A. for the State.

It is submitted by learned counsel for the petitioner that in this case he wants to withdraw this petition but with direction for return of money deposited by him before the mediation centre for amicable settlement by order of this Court dated 23.02.2015 since mediation failed and matter could not be settled.

From perusal of record, it appears that on 23.02.2015 an order was passed by this Court directing the petitioner to deposit Rs. 1,00,000 /- in the mediation centre out of which Rs. 90,000 /- were to be paid to respondent No. 2 after conclusion of mediation proceedings in accordance with the terms which the parties may arrive at amicably through process of mediation till then the amount was to be kept by the mediation centre. Rs. 10,000 /- were to be kept for the expenses of the mediation. It was also directed that, in case, the mediation proceedings failed and did not fructify with positive result the aforesaid amount would be returnable to the person who deposited the same subject to order of the Court.

Since the mediation proceedings came to an end on 13.09.2015 and the report is present on record mentioning the fact that mediation completed with no agreement. It shows that mediation failed between the parties, therefore, as directed by this Court as aforesaid by order dated 23.02.2015 Rs. 90,000 /- are to be returned back to the petitioner/ who deposited the amount. The mediation centre is directed to return the aforesaid amount i.e. Rs. 90,000 /- to the person who deposited it if it is still remaining with it.

Accordingly, this petition is **dismissed** as **withdrawn** with aforesaid direction.

Order Date :- 1.11.2023

Suraj Srivastav