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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 187/2016 and CM APPL. 45484/2016**
ABHISHEK ASTHANA Appellant
Through: Mr. Samir Sagar Vasishta, Advocate
with Mr. Ashutosh Jha, Advocate

versus

POOJA ASTHANA Respondent
Through: Mr. Pawan Kumar, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **24.08.2017**

1. Pursuant to the parties being referred to mediation, a Settlement Agreement dated 10.07.2017 has been forwarded by the Delhi High Court Mediation & Conciliation Centre. The terms and conditions of the settlement have been set out in para 8 of the Settlement Agreement, whereunder the appellant has agreed to pay a sum of Rs.22,50,000/- to the respondent in full and final settlement of all her claims against him. The said amount has been agreed to be paid in three equal instalments as detailed in paras 8(a) to (c).
2. In terms of the settlement, the respondent has agreed to withdraw the petition filed by her against the appellant under Section 12 of the Domestic Violence Act on the next date of hearing, i.e., on 28.08.2017. The first motion for divorce by mutual consent has been moved by both the parties and is scheduled to be listed before the learned Family court on 30.08.2017. Both the parties undertake that they shall abide by the terms and conditions of the settlement, by taking all the steps as have been detailed in the Settlement Agreement. The parties further agree that after the second motion

for divorce is moved and allowed by the Family Court, steps shall be taken jointly by the appellant and the respondent for seeking quashing of FIR No.75/2015, Police Station: Paharganj.

3. Counsels for the parties state in unison that in view of the settlement recorded in the Settlement Agreement dated 10.07.2017, the present appeal may be disposed of.

4. We have perused the Settlement Agreement. The same has been signed by the appellant and the respondent and their respective counsels as also the learned Mediator.

5. As counsels for the parties jointly state that they parties have arrived at the aforesaid settlement of their own free will and volition and without any undue influence or coercion from any quarters, there appears no legal impediment in accepting the said settlement. The Settlement Agreement dated 10.07.2017 is taken on record. The parties shall remain bound by the terms and conditions of the said settlement.

6. The appeal is disposed of alongwith the pending application.

7. In the event the respondent reneges from any of the terms and conditions of the settlement, liberty is granted to the appellant to approach the Court for seeking revival of the present appeal.

HIMA KOHLI, J

DEEPA SHARMA, J

AUGUST 24, 2017

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