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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 3647/2016

DEEPA JAISWAL

..... Petitioner

Through: Ms.Jhumjhum Sarkar, Mr.Aditya Sharma,
Adv.

versus

UNUON OF INDIA & ORS

..... Respondents

Through: Mr.Karan S.Thukral and Mr.Rohit Yadav,
Adv. for R-7 to 9 along with R-8 in person.
Mr.Tushar Sanu, Adv.for Mr.Rahul Mehra, SC (Civil),
GNCTD
Insp. Suresh Kumar, SHO, and ASI Rajender Prasad,
PS Delhi Cantt.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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22.05.2017

CrI.M.A. 6036/2017

This writ petition was disposed of by this Court on 24th March, 2017 based on a settlement arrived at between the parties before the Delhi High Court Mediation and Conciliation Centre. While disposing of the writ petition, we had expressed our deep sense of appreciation for the Mediator who had worked tirelessly to hold proceedings on a day to day basis. We had also recorded our appreciation for the parties and the counsels who have worked hard to resolve the matter amicably.

This we had said as the matter was very hotly contested. Unfortunately, an application bearing no.6036/2017 was filed on behalf of respondent no.7 seeking further directions. Notice was issued on 17th April, 2017, the matter was adjourned to 26th April, 2017 and then to 18th May, 2017. We were informed by Mr.Thukral, learned counsel for

respondent nos.7 to 9 that post signing of the settlement, it has come to the mind of respondent no.7 that should for unforeseen circumstances, he were to lose his job, then he would be in a position to provide the same level of education to the children, which had he agreed upon. It was in this background that the application was filed.

On the last date of hearing, we were informed that the respondent no.7 has been working in the Middle East for the past almost 20 years and he is an eminent Architect. The matter was adjourned to enable Mr.Thukral to take instructions from respondent no.7, with this condition that if there be a change in the circumstances or he lose his job, it would be open for respondent no.7 to seek re-arrangement as far as the school of the children is concerned. Ms.Sarkar, learned counsel had also sought instructions from her client on this issue as well.

Today, it is agreed that if in the eventuality, the respondent no.7 loses his job or he is financial not capable to provide the school fee of the present school at Mussourie. The parties would re-consider and jointly agree on an alternative school, keeping in view the fabric of the overall settlement arrived at. It is also agreed that since the visa of the petitioner is expiring on 14th June, 2017, she would make immediate travel plans to go to Doha to comply with the terms of the settlement. Both the parties agree that they will ensure that the terms of settlement are complied with in letter and spirit.

This arrangement shall be read in connection with the settlement already agreed upon between the parties.

The application is disposed of on the above agreed terms.

Dasti under the signatures of the Court Master.

Crl.M.A. 8660/2017

Learned counsel for the petitioner seeks leave to withdraw the present application. The same is dismissed as withdrawn.

G.S.SISTANI, J

NAVIN CHAWLA, J

MAY 22, 2017

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