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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 954/2017

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..... Petitioner

Through: Mr. Joydeep Mazumdar, Mr.
Debojyoti Bhattacharya, Ms. Momota
Bhattacharya, Mr. Kamlesh Kumar
and Ms. Priyata, Advocates with
petitioner in person

versus

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..... Respondent

Through: Mr. Nachiketa Suri and Mr. Vishva
Nath Singh, Advocate with
respondent in person

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

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02.04.2018

1. Both the parties are present in Court with their respective counsels.
The parties have settled their disputes on the following terms:

- (i) The parties shall dissolve their marriage by mutual consent. The parties shall file the first motion for dissolution of marriage by mutual consent on or before 15th July, 2018. All the pending cases shall be withdrawn by the parties within four weeks of the recording of the first motion. The respondent shall give her no objection to the quashing of the FIR under Section 498A IPC after recording of the first motion.
- (ii) The petitioner shall transfer the ownership rights in respect of flat bearing No.405, Ankshu Residency, 2nd Cross, Sri Satya Sai Baba Layout, K.R. Puram, Bengaluru, Karnataka-560049 and shall hand

over the physical possession of the same to the respondent on or before 01st July, 2018. The petitioner shall clear all outstanding dues in respect of the said flat before handing over of the possession of the flat. The cost of registration of the aforesaid flat shall be borne equally by both the parties.

- (iii) The petitioner shall pay Rs.20 lakh to the respondent in full and final settlement of all her claims towards maintenance, permanent alimony etc. The payment shall be made in the following manner: -
 - (a) Rs.10 lakh by 15th June, 2018;
 - (b) Rs.5 lakh by 15th September, 2018; and
 - (c) Rs.5 lakh by 15th December, 2018;
- (iv) The petitioner shall hand over three post dated cheques in respect of the aforesaid amount to the respondent within 10 days from today. The petitioner undertakes that all the three cheques shall be honoured on their first presentation.
- (v) The petitioner shall hand over all the jewellery to the respondent lying in locker at IOB, Srinagar Colony, Hyderabad. The petitioner shall operate the said locker in the presence of the respondent on 19th May, 2018 and shall hand over the jewellery to the respondent.
- (vi) The respondent shall hand over the custody of the minor child, Master Vedank, to the petitioner on 01st July, 2018. The petitioner shall thereafter maintain the minor child Master Vedank. The petitioner shall not claim any maintenance in respect of the child from the respondent. The petitioner further agrees not to put the child in a hostel or boarding school. The respondent shall also deliver the relevant documents relating to Master Vedank to enable the petitioner to admit the child in school.
- (vii) The petitioner shall provide the visitation rights of Master Vedank to

the respondent in the following manner: -

- (a) The respondent would be entitled to meet the child once in a week in the city of the residence of the petitioner at a mutually convenient venue to be fixed by the parties one week in advance.
 - (b) The respondent shall be entitled to talk to the child on phone/mobile number that would be provided by the petitioner to the respondent on 1st July, 2018.
 - (c) The respondent shall be entitled to two weeks of overnight stay with Master Vedank in every summer vacation and one week in every winter vacation commencing December, 2018. The parties shall fix the schedule of the stay and the respondent shall collect the minor child from the petitioner at a venue to be mutually decided by them in advance. During the aforesaid period, the respondent is at liberty to keep the child at her residence or make a travel plan with the child.
- (viii) Till the handing over of the custody of Master Vedank by the respondent to the petitioner, the petitioner is at liberty to meet Master Vedank at a mutually convenient place to be fixed by the parties.
2. The learned counsels for the parties have handed over a handwritten settlement duly signed by both the parties. The settlement between the parties is taken on record. Both the parties present in Court undertake to abide by the terms of the settlement recorded hereinabove. The undertaking of the parties is hereby accepted.
3. This petition is disposed of in terms of the settlement between the parties.
4. This Court appreciates the assistance rendered by learned counsels for both the parties in assisting the parties to resolve a complicated dispute.

5. Copy of this order be given *dasti* to counsels for the parties under signatures of the Court Master.

J.R. MIDHA, J.

APRIL 02, 2018

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