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

+ MAT.APP.(F.C.) 26/2019

PRIYANKA RAO

..... Appellant

Through

Mr. Sanjiv Kakra & Ms. Anita Tomar,
Advocates alongwith Mr. Anand Yadav
father & attorney of appellant.

versus

VARUN KUMAR YADAV

..... Respondent

Through

Mr. M. Sufian Siddiqui, Ms. Neha Jain &
Mr. Prateek, Advocates alongwith Mr. V.S.
Yadav, father and Mrs. Maya Devi, mother and
attorney of respondent.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **27.02.2019**

CM APPL 4047/2019 (delay)

1. This application has been filed by the applicant/appellant seeking condonation of 42 days delay in filing the present appeal.
2. There is no opposition to the prayer made in the application. Accordingly, delay of 42 days in filing the appeal is condoned.
3. The application stands disposed of.

MAT.APP.(F.C.) 26/2019 & CM APPL 4045/2019 (stay)

4. The appellant is aggrieved by the order dated 13.11.2018 by which the Family Court without hearing the application filed by the appellant/wife for maintenance has fixed the matter for recording of evidence.
5. We had issued notice in the matter on 28.01.2019, when the counsel for the appellant submitted that the appellant is open for an amicable settlement. The matter was adjourned to 25.02.2019 when we had interacted with the parties in chamber and thereafter the matter was adjourned for today i.e. 27.02.2019. As offers and counter offers have been explored, the parties have now arrived at an amicable resolution on the following terms and conditions :

- (i) The parties agree that they would part ways. They would file a

petition for grant of divorce by mutual consent through their respective attorneys (father of the appellant and mother of the respondent).

- (ii) The respondent will make payment in the sum of Rs.40 lacs in full and final settlement of all claims, dues towards alimony, *Stridhan* etc. This amount shall be paid in the following manner :
 - (a) Rs.15 lacs shall be paid on or before 05.03.2019 when parties will sign the first motion for grant of divorce.
 - (b) The balance of Rs.25 lacs shall be paid within three weeks thereafter when the parties will make statement of second motion.
 - (iii) All complaints, disputes and differences will stand settled between the parties.
 - (iv) Upon the settlement being arrived at, the appellant will withdraw the suit pending before the Family Court.
 - (v) The appellant will be entitled to refund of the Court fee as the matter has been resolved through mediation of this Court.
- 6. The Court appreciates the efforts put in by the parties and their respective counsel for amicable resolution.
 - 7. The attorneys will sign the copy of this order as a token of their acceptance.
 - 8. In view of the settlement arrived at between the parties, the appeal alongwith CM APPL 4045/2019 stands disposed of.

G.S.SISTANI, J

JYOTI SINGH, J

FEBRUARY 27, 2019/ck /