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

+ **MAT.APP.(F.C.) 243/2018**

UMESH @ DEEPAK

..... Appellant

Through: Mr. H K Shekhar & Mr. Tarun Lal,
Advocates

versus

BHAVANA

..... Respondent

Through: None

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

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12.02.2020

**C.M. APPL. 5711/2020 (by the appellant for refund of the amount) &
C.M. APPL. 5712/2020 (Exemption)**

1. C.M. APPL. 5711/2020 has been moved on behalf of the appellant praying *inter alia* for refund of an amount of Rs.4.50 lacs deposited in this Court in terms of the Settlement Agreement dated 23.05.2019, arrived at between the parties in the Delhi High Court Mediation and Conciliation Centre.

2. We may note that vide order dated 18.09.2019, the present appeal was disposed of by taking on record the Settlement Agreement dated 23.05.2019.

3. In the above circumstances, there is no question of refunding any amount to the appellant, as prayed for in the application, on the ground that he has been served with summons issued by the Addl. Sessions Judge, Dholpur, Rajasthan for his appearance in a petition filed by one Sh. Mata Prasad, under

Section 11 of the Hindu Marriage Act, 1955 for declaring his marriage with the respondent herein, as null and void.

4. If it is his case that the Settlement Agreement dated 23.05.2019, is not binding on him, it is for the appellant to seek appropriate legal recourse.

5. Both the applications are dismissed as meritless.

HIMA KOHLI, J

ASHA MENON, J

FEBRUARY 12, 2020

Sm/s