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

+ **MAT.APP.(F.C.) 216/2019**

SUJATA

..... Appellant

Through: Ms.Rekha Aggarwal, Advocate along
with appellant in person.

versus

RAJU KUMAR

..... Respondent

Through: Respondent in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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21.09.2020

HEARD THROUGH VIDEO CONFERENCING.

CM No. 23239/2020 (exemption)

Allowed, subject to all just exceptions.

CM No.23238/2020 (by the appellant for early hearing)

1. The present application has been moved by the appellant praying *inter alia* that the appeal be taken up on an early date on the ground that after the parties were referred by this court to the Delhi High Court Mediation and Conciliation Centre on 17.02.2020 for negotiating a settlement, they were able to arrive at a comprehensive settlement on 20.02.2020, copy whereof has been enclosed with the application.

2. The appellant is represented through her counsel. The

respondent/Raju Kumar had appeared virtually. He has been identified by Ms. Rekha Aggarwal, Advocate for the appellant. The Settlement Agreement is enclosed with the application and marked as Annexure-A1 which records the terms and conditions of the settlement arrived at between the parties from paras (a) to (o).

3. In terms of the settlement, the parties have agreed to dissolve their marriage by jointly approaching the Family Court for a decree of divorce by mutual consent. The appellant has agreed to give up all her claims towards *streedhan*, maintenance (past, present and future), permanent alimony, etc., against the respondent and his family members. Similarly, the respondent has agreed that he has no claim and shall not make any claim against the appellant or against her family members in relation to their matrimonial relationship.

4. Both the parties state that they shall approach the Family Court for seeking waiver of the statutory period of six months while filing their first motion. The said request shall be considered and decided by the Family Court in accordance with law. Parties have further agreed that all their pending litigations as detailed in para (h) of the Settlement Agreement shall be withdrawn by them after the First Motion application is moved by them and their statements are recorded by the learned Family Court. The parties state that in view of the settlement recorded hereinabove and duly signed by them, the present appeal may be disposed of.

5. We have perused the Settlement Agreement dated 20.2.2020. The same has been signed by the respondent and the appellant. Both, the appellant and respondent, who have logged in to the hearing today, confirm that they have signed the Settlement Agreement of their own free will and

volition and without any undue influence from any quarter. The Settlement Agreement has been witnessed by the appellant's father and learned counsel for the appellant. The same has also been signed by the learned Mediator and the Co-Mediator. There appears no impediment in taking on record the aforesaid Settlement Agreement. Ordered accordingly. The parties are bound down by the terms and conditions of the settlement. They have been apprised of the adverse consequences of breaching the terms of the settlement, as recorded in para (k) of the Settlement Agreement. The application is allowed and disposed of. The appeal is also disposed of in terms of the aforesaid Settlement Agreement. The next date if any, fixed in the appeal stands cancelled.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

SEPTEMBER 21, 2020/tr