

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No.9 of 2021

Sri Sidhartha Sankar Patro

.... ***Appellant***
Mr. A. Swain, Advocate

-versus-

Smt. Bijaya Satapathy

.... ***Respondent***
Mr. A. Das, Advocate

CORAM:

JUSTICE S. TALAPATRA

JUSTICE B. P. ROUTRAY

ORDER
23.06.2022

Order No.

07.

1. The matter is taken up through Hybrid mode.
2. Heard Mr. A. Swain, learned counsel appearing for the Appellant and Mr. A. Das, learned counsel appearing for the Respondent.
3. By the order dated 15.02.2022, the dispute was referred to the mediation. The report of the Mediator, namely, Pratap Keshari Deo is available with the records. The mediation report dated 17.05.2022 has clearly observed as follows:

“As per the discussion on 12.04.2022 the respondent (wife) is agree [agreeable] to settle the dispute by taking Rs.3,65,000/- (Three lakh Sixty five thousands) as permanent alimony from the petitioner, Sidhartha Sankar Patro and both are agree [agreeable] to withdraw the litigations pending against each other in

respective courts. They also agree not to claim anything from any party in future.

The petitioner (husband) has deposited a demand draft of Rs.3,65,000/- (Three lakh Sixty five thousands) bearing No.722463, dtd-13-05-2022 which will be submitted to the Hon'ble High Court of Orissa. The original demand draft drawn in favour of Bijaya Satapathy in Gandhinagar Branch, SBI.”

4. We have perused the mediation report. No grievance has been projected about the report. The counsel for the parties have come forward to accept the report.

5. It may be noted that this appeal has been preferred against the judgment dated 16.11.2019 delivered in Civil Proceeding No.80/2018 which was instituted for dissolution of marriage by a decree of divorce under Section 13(1)(i-a) of the Hindu Marriage Act, 1955. The said petition seeking dissolution of marriage has been dismissed. During the pendency of appeal, when the matter was referred to mediation, the parties have taken a realistic view and they have come to a settlement by mutual consent to have the marriage dissolved by a decree of divorce.

6. Having regard to the mediation report, this Court finds no impediment to allow the petition of the Appellant being C.P. No.80/2018. Per consequenti, the decree of divorce is issued by dissolving the marriage. Registry is directed to draw the decree accordingly.

7. Before parting with the records, Registry is directed that on proper identification, the demand draft bearing No.722463, dated

13.05.2022 drawn on State Bank of India, Gandhinagar Branch be handed over to the Respondent.

8. In terms of the above, the proceeding stands disposed of.

(S. Talapatra)
Judge

(B.P. Routray)
Judge

