

07.06.2023
Aloke
Sl no.3 and 4
Ct no. 30

CRR 3730 of 2019

Mrs. Preeta Ganguly nee Bhattacharyya
Vs.
Dr. Suparna Gangopadhyay & Ors.

WITH

CRR 112 of 2020

Dr. Suparna Gangopadhyay
Vs.
State of West Bengal & Ors.

Mr. Sabyasachi Banerjee
Ms. Diksha Ghosh
..... For the Petitioner in CRR 3730 of 2019

Mr. Kallol Basu
Mr. Bratin Kumar Dey
Mr. Santanu Talukdar
..... For the Opposite Party in CRR 3730 of 2019

Mr. Kallol Basu
Mr. Bratin Kumar Dey
Mr. Santanu Talukdar
..... For the Petitioner in CRR 112 of 2020

Mr. Sabyasachi Banerjee
Ms. Diksha Ghosh
..... For the Opposite Party in CRR 112 of 2020

The revisional applications have been preferred by the parties being aggrieved by an order dated 31st August, 2017 passed by the learned 7th Judicial Magistrate, Alipore, in C. Case No. 4008/2016 under Section 12 read with Section 23 of the Protection of Women from Domestic Violence Act, 2005,

directing the respondent/husband to pay monthly maintenance of Rs.20,000/- each to the wife and their two children from the date of order **AND** the judgment and order dated 11th September, 2019 in Criminal Appeal No. 236/18 passed by the learned Additional Sessions Judge, Fast Track 4th Court, Alipore, against an order dated 31st August, 2017 passed by the learned Judicial Magistrate, 7th Court, Alipore, in C. Case. No. 4008/2016 under Section 12 read with Section 23 of the Protection of Women from Domestic Violence Act, 2005, wherein the interim monetary relief was meagerly modified and enhanced for the 2 (two) children from Rs.20,000/- to Rs.33,000/- each from the date of order.

During the hearing of this matter, considering the welfare of the family, which includes their two children, the matter was referred for mediation.

The final report of the learned Mediator dated 04.05.2023 has been placed before this Court.

The relevant portion of the said report is as follows:-

“During the session of Mediation the parties agreed to arrive at a Mediation and finally decided to reconcile.

Today the mediation is held wherein the parties have expressed before the Mediator their desire to reconcile.

The parties have decided to stay together henceforth at their residence at Saltlake, i.e. the matrimonial house. The children shall stay along with their parents and the husband shall take all responsibilities of his wife and children.

The wife has expressed voluntarily that she shall make no further claim from her husband.

The parties have agreed to and accordingly shall instruct their Learned Advocates to take necessary steps to withdraw the Criminal Revisional Applications pending before the Hon'ble Court. That the settlement has been voluntarily arrived at by and between the parties."

The learned Mediator's final report was that the mediation is "SUCCESSFUL".

The learned counsels for the parties before this Court have stressed upon the fact that they will take necessary steps at the earliest to withdraw the pending cases before the respective Courts and it has also been agreed that the husband shall take all the responsibilities of his wife and children who shall all reside together at their residence at Saltlake.

In view of such settlement between the parties by way of mediation, CRR 3730 of 2019 and CRR 112 of 2020 are accordingly disposed of as "SETTLED through the mediation".

All connected application, if any, stands disposed of.

Interim order, if any, stands vacated.

Copy of this order be sent to the learned Trial Court forthwith for necessary compliance.

Urgent certified website copy of this order, if applied for, be supplied expeditiously after complying with all, necessary legal formalities.

(Shampa Dutt (Paul), J.)