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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1806/2023**

DEEPTI DAS

.....Petitioner

Through: Ms.Nawaldeep, Adv. along with
petitioner in person (through VC)

versus

LT. CDR DEBASISH GUHA

.....Respondent

Through: Respondent in person (through VC)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

27.11.2024

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1. The statements with respect to seeking divorce by mutual consent (for first motion u/s 13(B) (1) of Hindu Marriage Act, 1955 were recorded on 11.05.2023. Thereafter, the second motion could not take place.

2. After hearing some arguments and interacting with the parties, both the parties have now agreed to move appropriate petition for the purposes of recording statements with respect to second motion on the following terms: -

- (i) Both the sides would file appropriate petition u/s 13(B) (2) of Hindu Marriage Act, 1955 seeking divorce by mutual consent.
- (ii) The petitioner, herein, is having a joint locker with her father-in-law and such locker is with respect to a bank situated at Kolkata. In view of the above said settlement, the petitioner is no longer interested in operating or for staking any claim over the abovesaid locker and, therefore, she has agreed to issue requisite *No Objection Certificate* in this regard within one week from today. The soft copy of such *No Objection Certificate* shall be shared with the respondent through electronic mail within one

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week. However, till the time, the second motion statement is not recorded, the abovesaid *No Objection Certificate* shall not be utilized by the respondent.

- (iii) The respondent agrees that in terms of the settlement agreement dated 12.10.2022, he would pay a sum of Rs.20,00,000/- i.e. demand draft for a sum of Rs.8,00,000/- in the name of his wife and Rs.12,00,000/- in the shape of FDR in the name of their minor daughter at the time of recording of statement of second motion.
- (iv) Both the parties would file appropriate application seeking divorce by mutual consent (for second motion) within two weeks of receiving such *No Objection Certificate* by the respondent from his wife.

3. Petitioner and respondent, who have also joined the proceedings through Video Conferencing, when asked, reiterated that they were agreeable to aforesaid terms and have answered in affirmative.

4. Both the sides are directed to remain bound by the abovesaid statements made by them.

5. In view of the above, the petitioner submits that she is no longer interested in pursuing her present contempt petition. She, however, states that in case the respondent backs out from the above terms, she may be permitted to revive the same.

6. The petition is, accordingly, disposed of as not pressed.

7. Liberty, as prayed, is granted to the petitioner.

MANOJ JAIN, J

NOVEMBER 27, 2024/ns

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