Serial No.129

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CM No. 7711/2026 in
MA No. 195/2016

Rakhee Sharma .....Appellant(s)/Petitioner(s)

Through: None

Vs

Amit Sharma ..... Respondent(s)

Through: Mr. Aman Bhagotra, Advocate

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER
(04.11.2026)

CM No. 7711/2026:

1. This application has been moved by the applicant/respondent seeking disposal of the appeal, i.e., MA No. 195/2016 titled *Rakhee Sharma Vs. Amit Sharma*, in terms of judgment dated 28.09.2026 passed by the Hon'ble Apex Court in Civil Appeal No. 13170 of 2026 (arising out of SLP(C) No. 10423 of 2025), inter se, the parties to the appeal.

2. Learned counsel for the applicant/respondent submits that the non-applicant/petitioner, preferred the appeal against the judgment/order dated 20.10.2016 passed by the learned Additional District Judge (Matrimonial Cases), Jammu, in File No. 28/H.M. Act titled "*Amit Sharma Vs. Rakhee Sharma"*. It is further submitted that, during the pendency of the present appeal, the appellant approached the Hon'ble Supreme Court by way of Civil Appeal No. 13170 of 2026, wherein the Hon'ble Apex Court, in exercise of its powers under Article 142 of the

Constitution of India, accepted the settlement arrived at between the parties and dissolved their marriage by mutual consent.

3. Copy of the judgment passed by the Hon'ble Apex Court in the aforesaid appeal has also been placed on record, whereby the appeal stands disposed of in terms of the following directions contained in paragraph No. 7 thereof:

> **"7. Accordingly, the appeal stands disposed of in the following terms:**
>
> **(i) All pending litigations inter se the parties stand quashed.**
>
> **(ii) Derogatory or scandalous references made by either of the parties in their pleadings shall stand expunged, being voluntarily withdrawn by them.**
>
> **(iii) The parties shall, in future, also not raise any allegation or make any imputation against each other without there being any genuine cause of action.**
>
> **(iv) The parties shall not disturb each other with regard to enjoyment of their respective portions of the property which have come to them through this settlement agreement.**
>
> **(v) The marriage between the parties shall stand dissolved and a decree of divorce by mutual consent is granted."**

4. In view of the judgment passed by the Hon'ble Apex Court settling the disputes between the parties, the grounds assigned in the application, coupled with the submissions made at the Bar, the application is allowed. Consequently MA No. 195/2016 is directed to be taken up, in terms of the judgment dated 28.09.2026 passed by the Hon'ble Apex Court in Civil Appeal No. 13170 of 2026 (arising out of SLP(C) No. 10423 of 2025).

5. The application is, accordingly, disposed of.

MA No. 195/2016:

6. The main appeal is taken for consideration.
7. The Hon'ble Apex Court, while dissolving the marriage between the parties by a decree of divorce by mutual consent, had also ordered quashing of all pending litigations inter se the parties. The impugned judgment/order dated 20.10.2016 passed by the learned Additional District Judge (Matrimonial Cases), Jammu, in case titled Amit Sharma Vs. Rakhee Sharma, in favour of the respondent herein and against the appellant herein, also stands quashed in terms of the judgment passed by the Hon'ble Apex Court. As such, nothing survives for consideration in the present appeal. The appeal is, accordingly, disposed of in terms of the judgment passed by the Hon'ble Apex Court.
8. The record, if any, summoned, shall be returned along with a copy of this order.

(M A CHOWDHARY)
JUDGE

Jammu
04.11.2026
Amit