

SUPREME COURT LOK ADALAT

TRANSFER PETITION (C) NO.326 OF 2008

NAVPREET KAUR

... Petitioner (s)

Versus

GURKIRAT SINGH

... Respondent (s)

(With appln.(s) for stay and office report)

Date : 06/12/2008 The above petition was taken up today for settlement

CORAM :

HON'BLE DR. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner (s)

Mr. K.B. Rohtagi, Adv.
Ms. Aparna Rohatgi Jain, Adv.
Mr. Mahesh Kasana, Adv.
Mr. Vinod Kumar, Adv.

For Respondent (s)

Mr. Sheetal Prasad Juneja, Adv.

This matter was taken up at the Supreme Court Lok Adalat
with the consent and agreement through their counsel.
The following Order/Award is passed :-

Heard learned counsel for the parties and the parties who are present in person.

This Transfer Petition is disposed of on the following terms :-

1. A sum of Rs.3,00,000/- shall be paid by the respondent to the petitioner by 15th February, 2009.
2. A further sum of Rs.2,00,000/- shall be paid by the 15th April, 2009.

From May, 2009 a sum of Rs.3,000/- per month shall be paid by the respondent to the petitioner for the welfare of the son who is presently three years of age. The payment shall continue to be made till the boy attains majority. On the payment of the sum of Rs.5,00,000/- the Criminal proceedings pending before the Judicial Magistrate, First Class, Chandigarh in complaint case alleging commission of offence under Section 498A, 406 and 120B filed before the learned Chief Judicial Magistrate, U.T. Chandigarh titled Navpreet Kaur versus Gurkirat Singh and Others shall stand quashed. Similarly, the proceeding under Section 9 of the Hindu Marriage Act in MAT Case No.2 of 2008 pending before the learned Civil Judge, Senior Division, Champua, Orissa shall stand quashed. The parties, after payment of the aforesaid sum of Rs.5,00,000/-, shall file a joint petition before the learned District Judge, Chandigarh for a decree of divorce by mutual consent. The said petition shall be allowed in terms of the present order.

It is made clear that if there is two consecutive defaults in making payment of Rs.3,000/- per month, the Criminal Case quashed pursuant to the present order shall stand revived. The payment shall be made by the 10th of the succeeding month by crossed cheque in favour of the petitioner, by the respondent.

Until the final orders are passed in terms of the present order, all proceedings in different Courts shall remain stayed.

The Transfer Petition stand disposed of.

(P.SATHASIVAM)

(Dr.ARIJIT PASAYAT)