

Smt. Seema Bansal Vs Dr. Mayank Bansal

Court: Supreme Court of India

Date of Decision: Oct. 16, 2008

Acts Referred: Criminal Procedure Code, 1973 (CrPC) â€” Section 125
Penal Code, 1860 (IPC) â€” Section 406, 498A

Citation: (2008) 13 SCALE 655

Hon'ble Judges: Mukundakam Sharma, J; Arijit Pasayat, J

Bench: Division Bench

Advocate: Kajal Chandra and Sanjeev Anand, for the Appellant; Ashok Mathur, for the Respondent

Final Decision: Allowed

Judgement

Arijit Pasayat, J.

Though the present transfer petition has been filed for transfer of a case from Lalitpur to Delhi, the matter was directed to

be listed at the Supreme Court Lok Adalat which was held on 6th September, 2008, to explore the possibility of bringing out a solution to the

marital discords. With the assistance of the Mediators, the parties were heard and following terms for settling the disputes were arrived at:

1. That the respondent shall pay a sum of Rs. 10 lacs towards maintenance of the daughter (Tanishka). The said sum will be payable in annul

installment of Rs. 2.5 lacs each payable on or before 31st August. The first installment to be paid on or before 31.8.2009. The fourth and last

installment shall be paid on or before 31.8.2012.

2. The above amount shall be kept in a fixed deposit in the name of Ms. Taniksha.

3. (a) Till such amount of Rs. 10 lacs is paid, the respondent shall pay a monthly sum of Rs. 7500/- (Rupees seven thousand five hundred only) by

the end of each month commencing from September, 2008.

(b) That the petitioner will not be claiming any sums towards alimony and/or maintenance except that she will be entitled to her share of 25% in the

Immovable property bearing No. 1301, Jaj Bagh, Manja Pachora, Opposite Gate No. 2, Medical College, Jhoni.

4. The parties hereby agree to withdraw all the civil/criminal cases pending in the concerned court which are mentioned below:

(1) O.S. No. 161 of 2007 (Dr. Mayank Bansal pending before Ld. Civil Judge, Ms. Seema, Senior Division, Lalitpur, U.P.)

(2) Criminal Complaint arising from FIR No. 605 of 2007 u/s 406, 498A IPC, PS Pandav Nagar, Delhi.

(3) HMA No. 7005/07 u/s 125 Cr.P.C. pending before Ms. Neeraj Shatiya, Civil Judge, Karkadooma, Delhi.

5. The Respondent will be entitled to visitation rights to meet the daughter Tanishka on 2nd and 4th Sunday of each month with prior notice by

each party. The Respondent will be entitled to take the child on an outing during such visits. The Respondent will drop the child back in such event.

6. The Respondent will also be entitled to meet the child on or other special occasions subject to availability.

7. The petitioner submits that the particulars of the Immovable property mentioned above have not been verified by her and the same are subject

to verification.

2. In terms of the agreement at serial No. 3 (a), a draft of Rs. 7,500/- for the month of September, 2008, has been handed over to learned

Counsel appearing for the petitioner in court today.

3. In view of the aforesaid agreement the transfer petition is disposed of on the terms as set out above. The proceedings as noted above stand

closed.