

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s). 183/2019

NEHA @ POOJA ALIZAD

Petitioner(s)

VERSUS

VAIBHAV KUMAR @ CHETAN SANCHETI

Respondent(s)

(FOR ADMISSION and IA No.16075/2019-STAY APPLICATIONMEDIATION
REPORT RECEIVED

IA No. 16075/2019 - STAY APPLICATION)

Date : 13-09-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Ms. Gwen Karthika, Adv.
Ms. Abha R. Sharma, AOR

For Respondent(s) Mr. Devashish Bharuka, AOR

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel appearing for the petitioner wife and the learned counsel appearing for the respondent husband state that in terms of the settlement arrived before the learned Mediator, the parties have complied with all the agreed terms and conditions. Therefore, both the learned counsel seek divorce by mutual consent under Section under Section 13 B of the Hindu Marriage Act, 1955 read with Article 142 of the Constitution of India.

My attention is invited to Proviso to Rule 1 of Order VI of the Supreme Court Rules, 2013 (for short "the said Rules"). As per Clause (iii) of Proviso to Rule 1, the jurisdiction of a Judge sitting singly is confined to grant relief under Section 25 of the

Code of Civil Procedure, 1908. Unless Hon'ble the Chief Justice exercises his powers under Clause (iv) of Proviso to Rule 1 of Order VI of the said Rules, I cannot pass a decree of divorce sitting singly.

Therefore, Registry is directed to place the petition before Hon'ble the Chief Justice for necessary directions.

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)
COURT MASTER (NSH)