

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5629 OF 2018  
[@ SPECIAL LEAVE PETITION (C) NO. 2899 OF 2018]

SANTOSH KUMAR MISHRA

Appellant(s)

VERSUS

NEERU MISHRA

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The appellant approached this Court, aggrieved by the reversal of the decree of nullity granted to him by the trial court. When the matter came up before this Court, the parties agreed for a mediation before the Supreme Court Mediation Center. We are happy to note that the parties have arrived at an amicable settlement. The settlement agreement dated 14.05.2018, duly signed by the parties and their respective counsel and also the learned mediator, is taken on record and shall form part of this Judgment.
3. Today, in terms of the settlement, the appellant has handed over a Demand Draft, bearing No. 172275 dated 09.05.2018, to the tune of Rs. 8,50,000/- (Rupees Eight Lakhs and Fifty Thousand) in the name

of Neeru Mishra, drawn on State Bank of India, which has been duly acknowledged by the respondent. We direct the parties to strictly abide by the other terms of settlement.

4. Since the parties have settled their disputes, we do not find it necessary that the parties should continue with the litigations. Accordingly, the proceedings in the following cases, as mentioned in the settlement agreement, are quashed:-

(i) Case No. 3006 of 2012 - Neeru Mishra Vs. Santosh Mishra & Ors. under Section 417 IPC pending before 7<sup>th</sup> ACMM Kanpur Nagar, Uttar Pradesh.

(ii) Case No. 609 of 2013 - Neeru Mishra Vs. Santosh Mishra & Ors. under Section 406 IPC pending before 4<sup>th</sup> M. M. Kanpur Nagar, Uttar Pradesh.

(iii) Case No. 1349 of 2013 - State Vs. Santosh Mishra & Ors. under Sections 498A, 323, 504 IPC and Sections 3 and 4 of D.P. Act, Mahila Thana, Kanpur Nagar, Uttar Pradesh.

(iv) Case No. 1829 of 2017 - Smt. Neeru Mishra Vs. Santosh Kumar Mishra under Section 9 of Hindu

Marriage Act pending before the Principal Judge,  
Family Court, Kanpur Nagar, Uttar Pradesh.

5. The following cases are dismissed:

(i). Case No. 20013 of 2008 - under Section 482  
Cr.P.C. pending before the High Court of Allahabad,  
Uttar Pradesh.

(ii) Case No. 2370 of 2009 - under Section 492  
Cr.P.C. pending before the Allahabad High Court,  
Uttar Pradesh.

(iii) Case No. 32437 of 2008 under Section 482  
Cr.P.C. pending in the High Court of Allahabad, Uttar  
Pradesh.

(iv) Case No. 8828 of 2009 under Section 482 Cr.P.C.  
pending in the High Court of Allahabad, Uttar  
Pradesh.

(v) Criminal Revision Case No. 4472 of 2010 under  
Section 417 of IPC pending before the High Court of  
Allahabad, Uttar Pradesh.

(vi) Criminal Revision Case No. 5729 of 2010 under Section 125 Cr. P.C. pending before High Court of Allahabad, Uttar Pradesh.

(vii) Criminal Case No. 741 of 2013 under Section 12 D. V. Act pending before the High Court of Allahabad, Uttar Pradesh.

6. We record our deep appreciation for the earnest efforts taken by Ms. Shalini Shishodia, learned counsel, and also the cooperation extended by the learned counsel for the parties for reaching an amicable settlement of the disputes.

7. In view of the above, this appeal is disposed of.

.....J.  
[ KURIAN JOSEPH ]

.....J.  
[ MOHAN M. SHANTANAGOUDAR ]

New Delhi;  
May 17, 2018.

ITEM NO.56

COURT NO.5

SECTION III-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 2899 of 2018

SANTOSH KUMAR MISHRA

Appellant(s)

VERSUS

NEERU MISHRA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.6037/2018-CONDONATION OF DELAY IN FILING SLP and IA No.6041/2018-CONDONATION OF DELAY IN REFILING SLP)

Date : 17-05-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Appellant(s) Mr. Kislaiy Pandae, Adv.  
Mr. Rabin Majumdar, Adv.  
Mr. Joydeep Mukherjee, Adv.  
Ms. Manju Jetley, AOR

For Respondent(s) Dr. Vinod Kumar Tewari, AOR  
Mr. Baijnath Prasad Pathak, Adv.  
Mr. Vivek Tiwari, Adv.  
Mr. Pankaj Kumar Singh, Adv.  
Mr. Pramod Tiwari, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed non-reportable Judgment.

Pending Interlocutory Applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)