

**IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO.178 OF 2020**

BISWANATH SAHU

PETITIONER

VERSUS

SASMITA SAHU

RESPONDENT

WITH

TRANSFER PETITION (C) NO.577 OF 2020

TRANSFER PETITION (Cr1.) NO.418 OF 2022

O R D E R

Heard Mr. Sibor Sankar Mishra, learned counsel appearing for the petitioner (husband). Also heard Mr. S. Debabrata Reddy, learned counsel appearing for the respondent (wife). The parties are also attending the proceeding in-person and through virtual mode.

The matter was referred to the Supreme Court Mediation Centre and the settlement reached on 22.11.2022 is placed before us through a joint application filed by the parties. In terms of the financial settlement, the petitioner has handed over a demand draft for a sum of Rs.40,00,000/- (Rupees forty lakhs) bearing No.010914 to the respondent's counsel. The parties have also agreed for withdrawal/closure of the different proceedings in various Forums which are mentioned in paragraph 1 of the

settlement agreement. The son, who is about 11 year old will remain with the father with visiting right available to the mother, as mentioned in paragraph 10 of the settlement deed.

Having considered the circumstances in these cases, we deem it appropriate to order for closure of the following proceedings to avoid further litigation:

i. T.P.(CrI.) No.418 of 2022-Biswanath Sahu Vs. Sasmita Sahu pending in Supreme Court.

ii. T.P.(C) No.178 of 2020 - Biswanath Sahu Vs. Sasmita Sahu pending in Supreme Court of India.

iii. T.P.(C) No.577 of 2020 - Sasmita Sahu Vs. Biswanath Sahu pending in Supreme Court of India.

iv. Maintenance Case details - CrI. Pet.No.143/2021 - 'Sasmita Sahu Vs. Biswanath Sahu' pending before the Ld. Judge, Family Court at Cuttack (Odisha).

v. Guardianship Act case - GUA. PETITION No.18 of 2019, titled as "Sasmita Sahu Vs. Biswanath Sahu" pending before the Court of the Ld. Judge, Family Court, Balangir, Odisha.

vi. Divorce Case details - HMA No.1573 of 2019 titled as "Sh. Biswanath Sahu Vs. Ms. Sasmita Sahu" pending in the Court of the Learned Principal Judge, Family Court (South), Saket Court Complex, New Delhi.

vii. 498-A Case i.e. G.R. Case NO.303 of 2020 titled "State of Odisha vs. Biswanath Sahu & Ors." pending before the Ld. Court of SDJM, Patnagarh, Bolangir, Odisha.

viii. Domestic Violence case i.e., C.M.C. (PWDV) No.77 of 2019, titled as "Sasmita Sahu Vs. Biswanath Sahu & Ors.", pending before Ld. Court of S.D.J.M., Patnagarh, Odisha.

ix. TRP/453/2021 - Transfer Petition pending before Hon'ble High Court of Orissa at Cuttack.

x. TRP/116/2021 - Transfer Petition pending before Hon'ble High Court of Orissa at Cuttack.

To give effect to the final settlement, we deem it appropriate to invoke our power under Article 142 of the Constitution of India and order for dissolution of marriage of Biswanath Sahu and Sasmita Sahu. A decree be drawn up accordingly.

With the above order, these petitions stand closed.

All pending applications also stand disposed of.

.....J.
(HRISHIKESH ROY)

.....J.
(DIPANKAR DATTA)

New Delhi;
December 14, 2022

ITEM NO.1

COURT NO.7

SECTION XVI-A

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).178/2020

BISWANATH SAHU

Petitioner(s)

VERSUS

SASMITA SAHU

Respondent(s)

WITH

T.P.(C) No.577/2020 (XVI-A)
(IA No.46951/2020 - EX-PARTE STAY)

T.P.(Cr1.) No.418/2022 (XVI-A)
(FOR ADMISSION and IA No.87104/2022-STAY APPLICATION)

Date : 14-12-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Parties: Mr. Sibho Sankar Mishra, AOR
Mr. Niranjan Sahu, Adv.
Mr. Debbrata Dash, Adv.
Mr. Apoorva Sharma, Adv.

Mr. S. Debabrata Reddy, Adv.
Mr. Ramendra Mohan Patnaik, AOR
Mr. Amitesh Mohanty, Adv.

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

The petitions are closed in terms of the signed order.

All pending applications stand disposed of.

(ARJUN BISHT)
COURT MASTER (SH)

(MONIKA DEY)
(BRANCH OFFICER)

(signed order is placed on the file)