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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAT.APP.(F.C.) 84/2020

PRATIBHA VATS

..... Appellant

Through: Mr. Rajat Aneja, Advocate with
Ms. Vandna Aneja and
Ms. Bhawana Pandey, Advocates.

versus

VIVEK KAUSHIK

....Respondent

Through: Mr. Vishal Chaudhary, Advocate
with respondent.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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27.05.2020

HEARD THROUGH VIDEO CONFERENCING.

CM 11379/2020 (Exemption)

Allowed, subject to all just exceptions.

MAT.APP.(F.C.) 84/2020 & CM 11380/2020 (by the appellant for stay of the impugned judgment)

1. The present appeal is directed against the judgment dated 27.1.2020 passed by the learned Principal Judge, Family Court, granting a decree of divorce in favour of the respondent/husband on grounds of cruelty. As per the records, the marriage of the parties was solemnized on 22.2.2014 and a girl child was born from the said wedlock on 2.12.2014. Thereafter, disputes and differences arose between the parties that led the respondent/husband to file the divorce petition which has been allowed by the impugned judgment.

2. At the outset, we have enquired from Mr. Rajat Aneja, learned counsel for appellant/wife as to whether his client is ready and willing to arrive at a one-time negotiated settlement with the respondent/husband so that the future interest of the daughter of the parties is secured. We are referring only to the daughter of the parties as both, the appellant/wife and the respondent/husband are gainfully employed. We are informed that as on date, the respondent/husband is paying a monthly maintenance @ Rs.7,500/- to the appellant/wife for the upkeep of their five and half year old daughter who is in the care and custody of the appellant/wife.

3. Mr. Aneja is agreeable to the said suggestion. Mr. Vishal Chaudhary, learned counsel for the respondent/husband is present in the hearing alongwith his client and states on instructions that his client is not averse to the said suggestion and is willing to negotiate a mediated settlement with the appellant/wife.

4. Accordingly, without prejudice to the respective rights and contentions of the parties, they are directed to participate in the mediation proceedings through Video Conferencing. Secretary, Delhi High Court Mediation and Conciliation Centre is directed to appoint a Mediator. The parties shall negotiate a settlement with each other through Video Conferencing for which an appropriate date shall be fixed by the Organizing Secretary, Delhi High Mediation & Conciliation Centre and conveyed to the parties through their respective counsel. In the event a negotiated settlement is arrived at, the same shall be placed on record before the next date of hearing.

5. List in the category of 'Directions' on 11.8.2020, for reporting settlement, if any. In the meantime, with the consent of the learned counsels for the parties, the operation of the impugned judgment shall remain stayed till the next date.

6. This order shall be uploaded on the website of the High Court today itself. The same shall be e-mailed to the Organizing Secretary, Delhi High Court Mediation & Conciliation Centre for information and compliance.

HIMA KOHLI, J.

SUBRAMONIUM PRASAD, J.

MAY 27, 2020
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