

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4857 OF 2016
[@SPECIAL LEAVE PETITION (C) NO. 7716 OF 2016]

SHUSHMA MISHRA

Appellant(s)

VERSUS

HEM NATH MISHRA

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The parties have been in certain material disputes. The appellant has approached this court, aggrieved by the Judgment and Order dated 01.10.2015 passed by the High Court of Jharkhand at Ranchi in First Appeal No. 579 of 2014.

3. On a suggestion made by this Court, the parties made an attempt for settlement of their disputes through Mediation. It is heartening to note that the parties, through the assistance of Ms. Kiran Bhardwaj, learned Mediator, have arrived at an amicable settlement and a Settlement Agreement dated 19.04.2016 has been filed before this Court.

4. Therefore, this appeal is disposed of in terms of the Settlement Agreement.

5. We direct the respondent to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs) to the appellant by way of a Demand Draft within two days from today. The remaining amount of Rs. 2,00,000/- (Rupees Two Lakhs) will be paid by the respondent to the appellant within another six weeks. Such payments are in full and final settlement of all the claims between the parties and there shall be no further claims.

6. In terms of the settlement, Money Suit No. 06 of 2012 filed by the respondent against the appellant pending before the Court of Senior Division, Hazari Bagh, Jharkhand, shall stand dismissed as withdrawn. Similarly, Writ Petition (C) No. 2402 of 2013 filed by the respondent against the appellant, pending before the High Court of Jharkhand at Ranchi, shall also stand dismissed as withdrawn. The Registry shall communicate a copy of this Judgment to both the Courts forthwith.

7. In view of the settlement above, the civil appeal is disposed of with no order as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
May 05, 2016.



JUDGMENT