

(2011) 03 AHC CK 0070

In the Allahabad High Court

Case No : Criminal Miscellaneous Writ Petition No. 4159 of 2011

Shyam Singh and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 11-03-2011

Acts Referred:

Protection of Women From Domestic Violence Act, 2005 — Section 29

Citation : (2012) 1 DMC 8 : (2011) 3 RCR(Criminal) 456 : (2011) 3 RCR(Criminal) 456

Hon'ble Judges : Vinod Prasad, J

Bench : Single Bench

Advocate : Om Prakash Mishra, for the Appellant;

Final Decision : Allowed

Judgement

Vinod Prasad, J.—Heard learned Counsel for the Petitioners and learned A.G.A.

The dispute seems to be between husband and wife. Having gone through the record, I prima facie find that the parties should be given a chance to settle their differences on their own terms through the process of mediation and conciliation.

Let this order be placed before the Registrar/Incharge of "Allahabad High Court Mediation and Conciliation Centre". The Registrar/Incharge of the Mediation Centre will issue notices to both the parties fixing a date for their personal appearances at the centre before the mediator nominated by the Organizing Secretary of the Mediation Centre.

2. Mediator/Conciliator is allowed three month's time to find a possible solution of disputes between the parties.

The case will be listed before the appropriate Bench in week commencing 11th July, 2011 along with the report of conciliator.

The Petitioners are directed to deposit Rs. 10,000/- at the Mediation Centre within three weeks for the expenses to be borne by Respondent No. 2.

The Petitioners undertake to appear at the Mediation Centre on every date fixed for mediation.

3. Meanwhile, further proceedings of Criminal Appeal No. 49 of 2009, u/s 29 of Protection of Women from Domestic Violence Act, P.S. Kavi Nagar, District Ghaziabad, shall remain stayed.

In case of default in deposit of Rs. 10,000/- or to appear before the Mediation Centre on the date fixed, whichever is earlier the stay order shall stand automatically vacated.

The report of the Mediation Centre will include a note about the deposit of Rs. 10,000/- and appearances of the Petitioners on the date fixed at the Mediation Centre.