

ITEM NO.40

COURT NO.7

SECTION III-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition (Civil) No.3147/2024

Petitioner(s)

VERSUS

Respondent(s)

[MEDIATION REPORT RECEIVED].....[PART HEARD BY: HON'BLE
MR. JUSTICE J.B. PARDIWALA AND HON'BLE MR. JUSTICE K.V.
VISWANATHAN]

IA No. 268606/2024 - EX-PARTE STAY

IA No. 268608/2024 - EXEMPTION FROM FILING O.T.

IA No. 19977/2025 - EXEMPTION FROM FILING O.T.

Date : 27-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :Mr. Siddharth S. Chapalgaonkar, Adv.
Mr. Parag R. Malwadkar, Adv.
Ms. Sneha Sanjay Botwe, Adv.
Mr. Akash Tripathi, Adv.
Mr. Nitesh Ranjan, AOR

For Respondent(s) :Mr. Jayprakash Bansilal Somani, Adv.
Mr. Manoj Kumar Chowdhary, Adv.
Mr. Rajnish Kumar, Adv.
Mr. Jeevan R. Patil, Adv.
Ms. Ekta Verma, Adv.
Ms. Shruti Kriti, Adv.
Ms. Pooja Agarwal, Adv.
Ms. Shisba Chawla, AOR

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

1. The parties have joined online. We also heard the learned counsel appearing for the parties.
2. We take notice of our order dated 16.12.2025, the same reads thus:-

"1. Parties to appear before the Supreme Court Mediation Centre on 22.01.2026 at 2.30 P.M. for the purpose of working out one lump sum reasonable figure towards full and final settlement.

2. We take notice of the fact that the parties have a fouryear old daughter, named . They are residing separately since 2022. Till this date, the husband has not bothered to pay a single penny to his wife or even for his minor daughter. Unfortunately, he has not even seen his minor daughter past four years.

3. It is a case of an irretrievable breakdown of marriage. The wife has made herself very abundantly clear that she would not like to go back to her matrimonial home. In such circumstances, the learned Mediator shall fix one lump sum amount.

4. The wife expects an amount of Rs.40 lakh towards full and final settlement.

5. In the meantime, the respondent-husband shall deposit a sum of Rs.25,000/- (Rs. Twenty five thousand only) with the Registry of this Court towards travelling expenses, etc., of his wife and daughter.

6. Let this amount be deposited within a period of one week from today. Once the amount is deposited, the same shall be disbursed in favour of the petitioner-wife after proper identification and verification.

7. Parties to appear personally before the Supreme Court Mediation Centre with the child on 22.1.2026.
8. We would request the Mediation Centre to expedite the proceedings and send the report at the earliest.
9. This matter shall be treated as Part Heard.
10. List on 27.02.2026."

3. It is unfortunate to note that the husband has not even bothered to deposit an amount of Rs.25,000/- (Rs. Twenty five thousand only) towards travelling expenses, etc. of his wife and minor daughter as ordered by us.

4. It appears that there is one order of interim maintenance passed by the Court of 8th Additional Chief Judicial Magistrate, Nashik. This order was passed way back in the year 2024. As regards interim maintenance, we are informed that the husband is in arrears to the tune of Rs.1,38,000/-. The husband is serving with Rishad Shipping and Clearing Agency Pvt. Ltd., Office situated at 203, Second Floor Trade Centre Gandhi Dham, PIN-370201. As regards his employment, there is an affidavit filed by the respondent husband which reads as under:-

**"AFFIDAVIT OF FINANCIAL CONDITION AND ADDITIONAL
FACTS**

as under:-

1.That I am the Sole Respondent in the above-mentioned Transfer Petition and as such I am well

conversant with the facts of the case, and I am competent to swear to this affidavit.

2. That this affidavit is being filed to disclose my true and correct financial condition, as not capable of adhering to the direction passed by this Hon'ble Court vide order dated 16.12.2025.

3. That my source of income are as under:

a) Monthly income from employment is Rs. 50,000/-.

b) Income from investment, interest, rent or other sources: Rs. NIL.

c) Total gross annual income: Rs. 6,00,000/-.

4. That the details of my movable assets are as follows:

a) Bank accounts (with balance): Rs. 6,750/-

b) Cash in hand: Rs. 2,400/-

c) Investment (FD, Shares, Mutual Fund, etc.): Rs. NIL

d) Vehicle, Jewelry, any other movable assets: Rs. NIL

5. That the details of my immovable properties are as follows:

a) Residential Property (Market value): Rs. NIL

b) Commercial Property (Market value): Rs. NIL

c) Industrial Property (Market value): Rs. NIL

6. That my liabilities and financial obligations are as under:

a) Loan EMI (Home/Personal/Vehicle): Rs. 13,500/-

b) Outstanding Debt: Rs. 4,05,000/-

c) Other liabilities, if there are any: Rs. NIL

7. That my average monthly expense is approximately Rs. 30,000/-, which includes household expenses, medical expenses and other necessary expenses.

8. That except as stated above, I do not possess any other movable or immovable assets, income or financial interest, whether in my name or in the name of any other person on my behalf.

9. That the deponent has been directed to deposit a sum of ₹25,000/- (Rupees Twenty Five Thousand) towards travel expenses for physical mediation scheduled on 22.01.2026 to be deposited within a period of one week, which the deponent is presently unable to comply with due to severe financial constraints.

10. That we had twice mediation, but it failed as the opposite party is asking alimony of Rs. 40,00,000/-, which is beyond my financial capability.

11. That this amount is more than the amount I saved therefrom my maximum earning drain to treatment for my spinal issue and old age parent's treatment.

12. That in para-2 of the order dated 16.12.2025, I respectfully submit that following payment has been rendered to the petitioner.

Date	Amount	Mode	Remark
19-Oct-23	10000	Cash	Paid to Petitioner when Respondent's father visited Nasik
22-Oct-23	3000	UPI	Transaction ID 329581310764 by Respondent
21-Jun-25	6000	Cheque No. 000047	Deposited at Nasik Court
21-Aug-25	6000	Cheque No. 000048	Deposited at Nasik Court
29-Aug-25	5000	UPI	For physical mediation at Supreme Court
15-Dec-25	10000	Bank deposit	To petitioner's account
04-Jan-25	10000	Cash	Handed over to Petitioner's cousin during Bhuj visit

13. That petitioner is contesting another case of cheque bounce, being No. CR EN 179/2025, at Civil Court Bhuj, which can be attended along with this divorce case as petitioner is running beauty parlour in Nasik.

14. That the statements made herein are true and correct to the best of my knowledge and belief and nothing material has been concealed or misstated therefrom."

5. The Affidavit filed by the husband itself would reveal that his total salary per month is Rs.50,000/- (Rs.Fifty thousand only) and the annual income is Rs.6,00,000/- (Rs.Six lakh only).

6. We inquired with the husband whether he is ready and willing to deposit an amount of Rs.2,50,000/- (Rupees Two Lakh Fifty Thousand only) inclusive of Rs.1,38,000/- (Rupees One Lakh Thirty Eight Thousand only) towards arrears of interim maintenance. However, husband has outright declined to pay anything for the maintenance to his wife and minor daughter.

7. In such circumstances, we are left with no other option but to direct the employer of the respondent-husband, namely, *Rishad Shipping and Clearing Agency Pvt. Ltd.*, referred to above, that an amount of Rs.25,000/- (Rupees Twenty Five Thousand only) shall be deducted per month from the salary of Nishant Praveenbhai Soni and the said amount shall be transferred by RTGS to the account of his wife, namely, Dimpal Soni. The bank details of petitioner-wife are as under:-

"BANK NAME	SHREE MAHESH CO-OPERATIVE BANK LTD.
ACCOUNT HOLDER	
ACCOUNT NUMBER	
IFSC CODE	
BRANCH	PANCHAVATI
ACCOUNT TYPE	2013-SAVINGS BANK ACCOUNT

ADDRESS	C.S. NO. 5867/4/A, SHOP NO. 586 GROUND FLOOR, SHANTI KUTIR BUILDING PANCHAVATI KARANJA PANCHAVATI NASHIK MAHARASHTRA NASHIK
REGISTERED MOBILE NO.	9426577035"

8. We are much concerned about the welfare and the maintenance of minor daughter , aged 04 years as on date and the petitioner-mother is taking care of Avira single handedly. We are informed that the petitioner's father has passed away and the petitioner as on date is residing at the house of her uncle along with her minor child .

9. Post this matter on 21.04.2026 to report compliance of our directions issued today.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)