

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION(C) DIARY NO.3839 OF 2018

Shashidhar M.Petitioner

Versus

Poornima C.Respondent

O R D E R

Perused the Office Report for Directions.

This unregistered writ petition is filed by the petitioner-in-person with the prayer which reads as under :-

“Recall the direction made in Final Order dated 02.12.2016 passed by this Hon’ble Court in Special Leave Petition (Civil) No.33095/2015 with respect to withdrawal of criminal cases filed against each other, which is not the part of prayer of SLP civil petition and not come to purview of civil jurisdiction as recorded in the final order which reads as below,

“However, we take on record the statement made on behalf of the petitioner-wife that she is not interested in payment of any amount by way of alimony or settlement and would only seek an order from the Court so far as withdrawal of the criminal case filed by the respondent-husband is concerned.

It is also submitted by the learned counsel for the respondent that the petitioner-wife has also filed a criminal case against the respondent-husband.

We direct that both the parties to withdraw the respective cases filed against each other."

There is no representation when the matter is called.

In the writ petition, petitioner is seeking directions to recall the order dated 02.12.2016 passed in Special Leave Petition (C)No.33095 of 2015. In the Report prepared by the Registry it is stated that the writ petition with the prayer, as sought, is not maintainable.

If, for any reason, the order passed in Special Leave Petition is to be recalled an application has to be moved in the very same petition but no independent writ petition is maintainable for recalling the directions issued in SLP.

For the aforesaid reasons, the office objection is upheld. The unregistered writ petition being Diary No.3839 of 2018 is dismissed as not maintainable.

..... J.
[R. Subhash Reddy]

New Delhi.
March 11, 2019

ITEM NO.4

COURT NO.7

SECTION X

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

WRIT PETITION (CIVIL) Diary No(s). 3839/2018

SHASHIDHAR M.

Petitioner(s)

VERSUS

POORNIMA C.

Respondent(s)

(Office report for directions)

Date : 11-03-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R. SUBHASH REDDY
[IN CHAMBER]

For Petitioner(s)

Petitioner-in-person (Not present)

For Respondent(s)

The Court made the following
O R D E R

For the reasons stated in the signed order, the office objection is upheld. The unregistered writ petition being Diary No. 3839 of 2018 is dismissed as not maintainable.

(SUKHBIR PAUL KAUR)
AR CUM PS

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER

(Signed order is placed on the file)