

**HIGH COURT OF TRIPURA**  
**\_A\_G\_A\_R\_T\_A\_L\_A\_**  
**MAT App No.12 of 2022**

Smt. Shipra Das

..... Appellant(s)

V E R S U S

Sri Biswajit Das

.....Respondent(s)

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For Appellant(s) : Mr. Koushik Datta, Advocate,

For Respondent(s) : Mr. A. Acharjee, Advocate.

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**HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH**  
**HON'BLE MR. JUSTICE ARINDAM LODH**

**\_O\_R\_D\_E\_R\_**

**18.05.2023**

Heard learned counsel for the parties.

Reference is made to the order passed by this Court dated

16.05.2023 which reads as under :

“Both the parties are present pursuant to the order dated 24<sup>th</sup> April, 2023. The husband has got a decree of divorce by impugned judgment dated 28.01.2020, passed by learned Judge, Family Court, Sonamura, Sepahajala District. The appellant-wife being aggrieved has preferred this appeal. The decree of divorce is based upon the ground of adultery. However, in course of interaction with the parties today in order to settle the dispute amicably and stop any further litigation, the respondent has agreed to pay permanent alimony of Rs.2,00,000/- (Rupees two lakh) in favour of the appellant to be paid in monthly installment of Rs.3,000/- (Rupees three thousand). The wife shall withdraw the maintenance case being pursued against the respondent on the basis of the aforesaid terms of payment of permanent alimony. Since the parties agreed to settle the dispute amicably in their best interest, let the aforesaid terms may be drawn in the form of a settlement jointly signed by the parties and be brought on record through an interlocutory application. Let the matter appear on 18th May, 2023.”

The parties have filed an interlocutory application bearing No.02 of 2023 incorporating the terms of settlement under which they have amicably resolved the matrimonial dispute. The terms of settlement are extracted hereunder :

“(A) That, the parties of the suits are intended to dissolve their marriage tie, by a decree of divorce from their free will and mind and also without any coercion, pressure from any corner;

(B) That, both the parties are willing to amicably dissolve the marriage. The wife petitioner will not claim any maintenance or permanent alimony to the husband opposite party in future. The husband opposite party has also no sort of claim upon the wife petitioner and either of the parties will not claim/blame each other in future;

(C) That, the husband opposite party as well as the wife petitioner has no claim upon each other regarding vital gifts/stridhans given by the father of the wife petitioner at the time of their marriage;

(D) That, both the parties has no claim and blame upon each other and will free to get remarry on their own will and choice in future after getting the decree of divorce. None of them will create any disturbance in future to each other;

(E) That, the husband opposite party shall pay Rs.2,00,000/- as permanent alimony and the same shall be paid by the husband respondent in monthly installment of Rs.3,000/- per month up to the recovery of the total alimony amount of Rs.2,00,000/-;

(F) That, the said installment of the alimony amount i.e. Rs.3,000/- per month shall be paid within 10th of every English calendar month;

(G) That, the wife appellant petitioner shall withdraw all the cases (if any) pending before the Ld. Courts and in future the wife petitioner will not be able to file any case against the husband opposite party;

(H) That, the wife appellant petitioner and her minor daughter shall have no right as legal heirs of the husband respondent;

(I) That, the parties of the suit came to the amicable settlement outside the Court for their welfare and benefit. So, they crave leave before this Ld. Court to entertain the instant compromise petition and to dissolve the marriage between the parties for fair ends of justice.”

Learned counsel for the parties submit that the appeal may be disposed of in terms of the settlement as the marriage between the parties already stands dissolved by decree of divorce granted by the learned

Family Court, Sonamura, Sepahijala District. There are no other pending litigations between the parties.

Having regard to the aforesaid development which has taken place during pendency of this appeal, no *lis* survives to be adjudicated. Parties have agreed to settle their matrimonial dispute on the terms and conditions as incorporated in the interlocutory application jointly signed by the parties. Respondent-husband has agreed to pay permanent alimony of Rs.2,00,000/- to be paid in monthly installments of Rs.3,000/- per month. The installment is to be paid within 10<sup>th</sup> day of every English calendar month.

As such, the appeal is disposed of in terms of the settlement. Pending application(s), if any, also stands disposed of. The compromise petition be treated as part of the decree.

Decree accordingly.

**(ARINDAM LODH), J सत्यमेव जयते (APARESH KUMAR SINGH), CJ**

*Dipesh*