

Court No. - 11

Case :- APPLICATION U/S 482 No. - 9446 of 2022

Applicant :- Abhishek Mishra And Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt.
U.P. Civil Sectt. Lko. And Another

Counsel for Applicant :- Ashish Kumar Gupta, Sunil Dixit

Counsel for Opposite Party :- G.A., Anand Kumar Yadav

Hon'ble Saurabh Lavania, J.

Heard.

By means of present application applicant-Abhishek Mishra (Husband), Sri Narain Mishra, (father-in-law), Kshamta Mishra (sister-in-law) have assailed the order dated 26.07.2022 and also the entire proceedings of Complaint Case No. 249 of 2020 under Sections 498A, 323 IPC and Section 3/4 of DP Act, Police Station-Khandasa, District-Faizabad, which, as per applicants/petitioners is pending consideration before the Additional Civil Judge, J.D. VI/J.M.Faizabad.

It has been stated that during pendency of the application, under consideration, the parties amicably settled the dispute outside the Court and as per settlement, which is part of report of Mediation and Conciliation Center of this Court, annexed as Annexure E, which is on record, the parties have agreed to withdraw/not to pursue the case filed against each other family members, as indicated in Clause 6E, as such, present application be disposed of in terms of the said compromise/settlement.

From the report of Mediation and Conciliation Center of this Court dated 28.02.2023, which is on record and also the settlement annexed as Annexure D, wherefrom it is evident that the parties have agreed to withdraw/not to pursue the case in issue i.e. Complaint No. 249 of 2020 under Sections 498-A, 323, 504, 506, 376 IPC and Section 3/4 of DP Act, at P.S.-Khandasa, Faizabad, pending before the Additional Civil Judge, (J.D.), VI/ J.M., Faizabad.

Further, from Clause 6B it appears that for the purposes of settlement second party namely Sushama W/o Abhishek Mishra, has already received Rs. 4 lacks out of Rs. 8 lacks agreed between the parties and the remaining amount i.e. Rs. 4 lacks would be paid at the time of second motion, as appears

from Clause 6 D.

Taking note of aforesaid, this Court is of the view that no fruitful purpose would be served in keeping the present application pending.

Accordingly, the application is ***disposed of*** in terms of compromise.

Order Date :- 29.11.2023

Vinay/-