

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.432 of 2014

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Rakhi Kumari W/o Dr. Shobhit Kumar Resident of Village- Mirjan Hat, P.S. Mojahidpur, District- Bhagalpur, At present Ratnagiri Bhawan (Apartment), Or No. 312, Samanpura, P.S. Shastri Nagar, District- Patna- 14

.... Appellant/s

Versus

Dr. Shobhit Kumar S/o Dr. Shambhu Nath Mahto Resident of Muhalla- Arya-Samaj Road, Ward No. 17, P.S.- Samastipur- Town, Distt. Samastipur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Madheshwar Singh, Advocate

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 19-05-2015

Considered the request made in I.A. No. 4276 of 2015, which has been affirmed by both the appellant, Rakhi Kumari and her husband Dr. Shobhit Kumar, respondent herein.

2. In the light of the averments made in paragraph 4 of the said interlocutory application, this appeal is disposed of. The contents of paragraph 4 is quoted hereinbelow:

“4. That during the pendency of the appeal before this Hon’ble Court, due to the intervention of the well-wishers



of the appellant and the respondent, both the parties of this appeal has settled the matrimonial dispute on the following terms and conditions:

I. That both the parties of this appeal have decided to dissolve their marriage dated 17.06.2010, since they have been living separately at their respective residences from a long time.

II. That both the parties are issueless till this date, as there is no child from the wed-lock of their marriage.

III. That both the parties have mutually agreed to separate in mess, property and residence and not to live as husband and wife any longer.

IV. That both the parties have agreed not to claim any right or interest against each other in future, as they have settled all the issues related with maintenance/ permanent alimony, outside the court and no claim survives between them.

V. That both the parties have mutually consented to dissolve their marriage without any coercion and undue influence.

VI. That both the parties are agreed to



depose in the Hon’ble Court, if desired/ required.”

3. Let decree dissolving the marriage of appellant with the respondent in connection with Matrimonial Case No. 279/151 of 2011/2012 disposed of by Principal Judge, Family Court, Patna under judgment dated 12.05.2014 be modified accordingly.

(V.N. Sinha, J.)

(Nilu Agrawal, J.)

Arjun/-

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