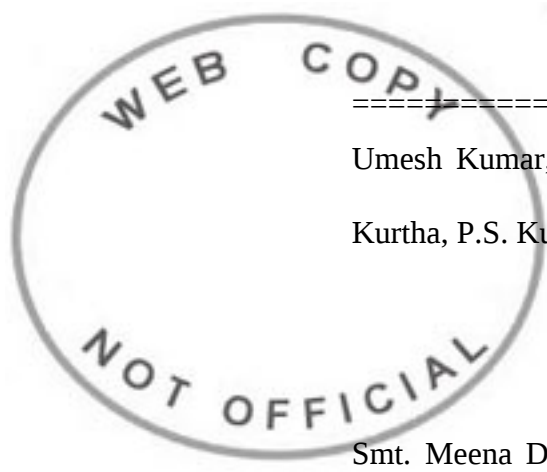




IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.553 of 2010

=====

Umesh Kumar, son of late Keshav Singh, resident of Village Mubarakpur, P.O.
Kurtha, P.S. Kurtha, District Arwal

.... Petitioner Appellant

Versus

Smt. Meena Devi daughter of Ram Lakhan Singh, resident of Village Kansuwa
(Dhibrapar), P.O. Katli, P.S. Sakurabad, District Jehanabad

.... Opp. Party.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Subodh Jha,
Mr. Diwakar Prasad Karn and
Mr. Chandra Shekhar Anand, Advocates

For the Respondent/s : Mr. Sunil Srivastava, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

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

Date: 12-05-2015

In light of our earlier orders parties are present
along with their counsel and with their consent, we are disposing
off this appeal on the following terms:



(i) Appellant-husband shall permit the respondent-wife to reside in her matrimonial home where she is presently residing. The appellant has also agreed to let his wife enjoy the usufruct of the landed property in the native village and deal with the land but not to alienate the same. He has also agreed to part with 1/3rd share of his take home salary in favour of the respondent-wife which amount shall be directly credited by the Drawing and Disbursing Officer of the appellant in favour of the respondent-wife in her Madhya Bihar Gramin Bank Account No. 75600700005848 at Kansua, Ratni Bazar Branch, Jehanabad (IFS Code No. PUNB0MBGB06). The appellant should obtain the certified copy of this order and produce the same before his Disciplinary/ Drawing and Disbursing Officer so that the amount may be credited in the bank account of his wife. The payment in terms of this order shall begin from 1st June, 2015, that is, from May, 2015.

(ii) In lieu of the aforesaid arrangement, the respondent-wife has agreed not to pursue Complaint Case No. 917 of 2009 pending before the concerned Court at Jehanabad which is accordingly quashed.

2. If any of the terms of this order is violated then it shall be open for the other party to bring to our notice such violation so that we can initiate contempt proceeding against the party who has violated the order.

(V.N. Sinha, J)

(Ahsanuddin Amanullah, J)

Anjani/-

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