

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.805 of 2010

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Kanchan Devi wife of Sri Prem Kumar daughter of Sri Umesh Singh, resident of Village Chilari, P.S. Makhdumpur, District Jehanabad, At present resident of Village Kurtha Dih, P.S. Makhdumpur, District Jehanabad
.... Respondent Appellant

Versus

Prem Kumar son of Ram Krit Singh, resident of Village Chilori, P.S. Makhdumpur, District Jehanabad
.... Applicant.... Respondent

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

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

Date: 29-04-2015

In light of our order dated 27.04.2015 appellant, her husband respondent and their son have appeared and with the consent of the parties and their learned counsel, the appeal is disposed off in the following terms:

2. The respondent has agreed to pay Rs. 2,00,000/- (Two Lakhs) as permanent alimony to the appellant within a period of three months either in instalment or at one time. The amount shall be deposited in the account of the appellant at State Bank of India, Makhdumpur Branch, account number shall be furnished by the appellant to the respondent by the

coming Saturday i.e, 02.05.2015 when respondent shall visit the house of the appellant for night stay of the son with the mother. In lieu of the aforesaid settlement between the parties, proceeding arising out of Complaint Case No. 951 of 2009 filed under Sections 498A, 323, 504, 341 and 120B of the Indian Penal Code pending in the Court of S.D.J.M., Jehanabad is quashed. Respondent has also agreed to send his son to live with the mother on every Saturday evening where from the son will be brought back on Sunday afternoon. Appellant shall be at liberty to visit her son at Tehta, Chilori residence of respondent where he shall make the son available to the appellant so that both may interact.

3. During festival, child shall remain with the appellant mother for which both child and his father have agreed and father also assured that he will ensure that the son remains with the mother during festival.

4. Parties are at liberty to file Interlocutory Application bringing to our notice if there is violation of any of the terms of this order.

(V.N. Sinha, J)

(Ahsanuddin Amanullah, J)

Anjani/-

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