

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1076 of 2013

Arising Out of PS.Case No. 335 Year- 2006 Thana -null District- MADHUBANI

1. Md. Murtuza S/O Dahu Mian Resident Of Village- Pokhrauni, Police Station- Rahika, District Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar
2. Jarina Khatoon Wife Of Md. Murtuza Resident Of Village- Pokhrauni, Police Station- Rahika, District Madhubani, At Present Resident Of Pilakhbar, Police Station- Raj Nagar, District- Madhubani

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Respondent/s : Mr. Jitendra Kumar Roy-1, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 08-05-2015

The Petitioner, who is the husband of the Opposite Party No.2, seeks revision of the order dated 16.7.2013, by which the Principal Judge, Family Court, Madhubani has recalled the order dated 6.12.2012 passed in M.R. No.335 of 2006.

The background facts are that a compromise was entered into between the parties on the terms of which the Petitioner was to deposit Rs.90,000/- before a third person, which the Opposite Party No.2 would withdraw. Later on she changed her mind and demanded a plot of land, a house of her own and a tube well. She then filed such an application before the Court below, which recalled the earlier order in respect of deposit of Rs.90,000/- and hence this revision.

On the last occasion notices had been issued to the Opposite Party No.2 but none appears on her behalf.

The Petitioner submits that he is still ready to pay Rs.90,000/- as earlier undertaken by him within three months from the date of receipt of this order.

In the interest of justice, I would direct the Principal Judge, Family Court, Madhubani to summon both the parties to attempt a final settlement in the matter so as to finally end the dispute.

With these observations, the application stands disposed of. In the meanwhile, no coercive action shall be taken against the Petitioner.

(Anjana Prakash, J)

Narendra/-

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