

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No.124 of 2012

Ayyub Khan, age- 40 years, S/o Haji Hattim Khan, R/o Subhash Nagar,
Moudhapara, PS Moudhapara, Tahsil & Distt Raipur (CG)

---- Appellant

Versus

Khujeda Begum, age - 30 years, d/o Hamid @ Lallu, C/o Mahmood
Khan, R/o Near the house of Habbib Ali, Subhash Nagar, Moudhapara,
PS Moudhapara, Tahsil & Distt Raipur (CG), At present residing on
Mouhalla-Tarous, Village-Kamariya, Post Kamariya, Tahsil - Moudhaha,
Distt Hamirpur (UP)

---- Respondent

For Appellant : Shri JA Lohani, Advocate

For Respondent : Shri Ajay Mishra, Advocate

Appellant present in person

**Hon'ble Shri Justice P Diwaker &
Hon'ble Shri Justice Inder Singh Uboweja**

Order on Board

10.08.2015

Per P Diwaker, J.:-

- 1) By filing this appeal under Section 19(1) of the Family Courts Act, 1984, the appellant has challenged legality and propriety of the order dated 10.09.2012 passed by the Principal Judge, Family Court, Raipur in Civil MJC Case No.71 of 2010, dismissing the application filed by the appellant under Section 25 of the Guardian and Wards Act, 1890 seeking custody of his minor children.

- 2) Shri Lohani submits that during the pendency of the appeal, on 13th March, 2015 the appellant and the respondent have amicably settled their dispute and now the appellant has agreed to give custody of child to the respondent. He further submits that the appellant has also agreed to pay Rs.11,50,000/- to the respondent as permanent alimony.
- 3) Shri Lohani prays that as compromise has been arrived at between the parties, the appellant may be permitted to withdraw this appeal.
- 4) Shri Mishra submits that though he has no instructions from his client, if the appellant wants to withdraw the appeal, he has no objection.
- 5) Considering the submissions made by the appellant, he is permitted to withdraw the appeal.
- 6) Accordingly, the appeal is dismissed as withdrawn.
- 7) The appellant to file compromise and relevant documents during the course of the day.

Sd/-
(P.Diwaker)
JUDGE

Sd/-
(I.S.Uboweja)
JUDGE