

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39733 of 2015

Arising Out of PS.Case No. -3559 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sumit Jha @ Sumit Kumar Jha, son of Sri Raj Mohan Jha, resident of Shipahi Tola, Teesri Gali, P.S. K.Hat, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Priyanka Pathak (daughter of Dr. Arun Pathak), wife of Sumit Jha, resident of Q.No. 13, Doctors Colony, Darbhanga Medical College Campus, Darbhanga at present residing at House of Amit Kumar, Engineer, Mohanpur Road, Punaiechak, P.S. Shastri Nagar, Town and District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay
For the Opposite Party/s : Mr. Nirmal Kr.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 27-01-2016 The present matter has been listed at the instance of O.P. No. 2 for modification of the order dated 18.01.2016 to the effect that Rs. 13,00,000/- was given to O.P. No. 2 as lump sum amount which was either given to her parents or to herself or to her relative from time to time as one time settlement. The said terms are stipulated in clause 3 of the memorandum of settlement which reads as follows:-

“The husband has agreed to pay the wife an amount of Rs. 13,00,000/-(Rupees thirteen lakh) in one lump sum which according to her is the amount either her parents or she herself had given to the husband Sumit Jha and/or his relatives from time to time as a one time settlement

which the wife has accepted”

Hence, the 4th paragraph of the order dated 18.01.2016 read as settlement amount, instead of payment as permanent alimony.

The order dated 18.01.2016 stands modified to the extent as indicated above.

(Dinesh Kumar Singh, J)

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