

FAO-M-143-2011

Date of decision: January 21, 2016

ANJU DEVI

...Appellant

VERSUS

MUKESH KUMAR

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. R.S. Bains, Advocate
for the appellant.Mr. M.S. Cheema, Advocate
for the respondent.**RAJIVE BHALLA, J.(ORAL)**

Mr. R.S. Bains, Advocate for the appellant-wife-Anju Devi states, on positive instructions obtained over telephone that the appellant is ready to withdraw her appeal if the respondent agrees to pay Rs.3,00,000/- as permanent alimony, in full and final settlement of all claims of maintenance past, present and future.

Counsel for the respondent states, on instructions from Mukesh Kumar, who is present in Court today, that Mukesh Kumar shall pay Rs.3,00,000/- as permanent alimony if the appellant's brother Ajit Kumar withdraws his criminal complaint pending at Gaya.

Counsel for the respondent once again states, on instructions, that as and when the appellant pays the amount of Rs.3,00,000/- her brother shall withdraw his criminal complaint but has no objection to the withdrawal of the appeal subject to Mukesh Kumar paying Rs.3,00,000/-.

We have considered the statements made by counsel for the parties, on instructions. The appeal is dismissed as withdrawn, the impugned judgment and decree is affirmed but with a direction to the respondent-Mukesh Kumar to pay Rs.3,00,000/- to the appellant as permanent alimony. After receipt of this amount the appellant shall ensure that the criminal complaint pending at Gaya is withdrawn. The needful be done within six months from today.

It is made clear to the parties that if they do not abide by their statements the aggrieved party would be entitled to approach this Court for revival of the appeal or for further directions.

(RAJIVE BHALLA)
JUDGE

January 21, 2016
m. sharma

(LISA GILL)
JUDGE