

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4794 of 2014

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Smt. Pinki Kumari Wife of Satyapal Bharti, Daughter of Sri Raj Kumar Prasad Sah Resident of Mohalla- Mohabbat Chapra, P.O.- Mehsi, P.S.- Mehsi, District- East Champaran.

.... Petitioner

Versus

Satyapal Bharti Son of Jadu Lal Sahu Resident of Village- Tulsia, P.S.- Dighalbank, District- Kishanganj.

.... Respondent

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Appearance :

For the Petitioner/s : Mr. Priyank Samdarshi

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7. 14-08-2018

In course of argument, both the parties have admitted that by virtue of the order passed by this court in Cr. Misc. No. 10454/2017 the matrimonial dispute was subject to a mediation proceeding bearing Mediation Proceeding No. 521/2017, in which the mediators attached to this court had finally intervened and with consent of both the parties an agreement was arrived at. A photocopy of the agreement, duly attested by learned counsel for the petitioner, executed by the parties in presence of the mediators of this court has been placed before this court and the same is kept on record.

A perusal of the same would show that while this petitioner has accepted a sum of Rs. 6,00,000/- (Rupees Six Lakhs) as full and final alimony along with her



daughter, the husband of this petitioner has further agreed to fix Rs. 3,50,000/- (Rupees Three Lakhs and Fifty Thousand) in the name of her daughter in any reputed bank within two years in which he will be the nominee and the minor daughter shall be entitled for the maturity amount after attending the age of majority.

A grievance has been made on behalf of the petitioner that in terms of the said agreement the opposite party/husband has not paid the first installment of Rs. 2,00,000/- in April, 2018. However learned counsel representing the opposite party/husband submits that he would abide by the agreement executed within a short time.

It further appears that under the agreement both the parties have agreed to withdraw all the cases brought by them against each other.

Learned counsel representing the opposite party/husband agrees that in view of this agreement now the divorce case brought by him on the ground of cruelty would be withdrawn. He however also submits that in order to finally culminate the relationship between the parties the opposite party/husband and the petitioner may get apart by a decree of divorce with mutual consent. For that an



appropriate application will be filed in the court of learned Principal Judge, Family Court, Motihari in order to take care of the convenience of the petitioner to which the petitioner also agrees.

In the aforesaid view of the matter, nothing remains for adjudication in the present case. This application is disposed of as having become infructuous.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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