

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.917 of 2017

IN

First Appeal No. 57 of 2000

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Anil Kumar Singh son of Sri Chandrika Singh resident of village Orma Naukatola
P.s. Moffasil Siwan District Siwan presently residing at Mohalla Chandpur Bela
P.S. Jakkanpore P.O. G.P.O Town & District Patna.

.... Appellant/s

Versus

1. Smt. Kusum Pyari daughter of Sri Ram Chandra Prasad both residents of village
Dhanwati P.S. Siwan Mofassil P.O. Siwan District Siwan (Respondent)
- 2(a) Sheo Mati Devi w/o deceased.
- 2(b) Awadh Kishore S/o deceased.
- 2(c) Om Prakash S/o deceased.
- 2(d) Alakh Prasad S/o deceased.

All resident of village Kukurbhonka Dhanwati P.O. Dhanwati Math P.S.
Dhanwati dist. Siwan

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shantanu Bhattacharjee, Advocate

For the Respondent/s : Mr. Kishun Chand Kumar Sinha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 24-09-2018

Anil Kumar Singh and Kusum Pyari are present in Court.

They are identified by their respective advocates.

2. A compromise petition has been filed by both of them jointly
seeking dissolution of marriage by mutual consent. Towards
permanent alimony, Anil Kumar Singh (husband) has agreed to pay a



sum of Rs. 8,00,000/- (Rupees eight lacs) to Kusum Devi (wife). Four bank drafts for the total sum of Rs. 8,00,000/- (Rupees eight lacs) has been handed over by Anil Kumar Singh to Kusum Devi which she has accepted without any reservation. Both the parties have agreed to withdraw cases filed by them against each other. Kusum Devi has also agreed to withdraw the criminal case of bigamy lodged against the husband (Anil Kumar Singh).

3. In the presence of the advocates of the parties, we asked Anil Kumar Singh as well as Kusum Devi as to whether they have signed the compromise petition on their own volition uninfluenced by any fraud, undue influence, misrepresentation or exertion of any sort. Their answer was that they have signed the compromise deed voluntarily.

4. We are informed by the parties that they have been living separately for about 28 years. Both of them seem to be convinced that their wedding has broken down irretrievably.

5. Having considered the matter thoughtfully, we are of the view that the compromise between the parties meets the requirement of law and is in their interest.

6. We, accordingly, dispose of this Appeal in terms of the compromise entered into between the parties. The averments made I.A. No. 6465 of 2018 be treated part of this order.



7. Appeal is allowed. The marriage between the parties is dissolved as per the compromise. Matrimonial Case No. 141 of 1996 stands disposed of accordingly. On payment of permanent alimony in the sum of Rs. 8,00,000/- (Rupees eight lacs), we record the statement of the respondent no. 1 Kusum Devi that no further claim of alimony of any nature remains. The parties shall bear their own cost.

8. This disposes of I.A. No. 6465 of 2018 as well.

(Dr. Ravi Ranjan, J)

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

