

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 216 of 2018**

1. Lalita Sahu @ Santoshi Sahu W/o Khomesh Sahu Aged About 26 Years R/o Krishna Vihar, Chantidih, P.S. Sarkanda, Bilaspur Tehsil And District Bilaspur Chhattisgarh.

---- Appellant**Versus**

1. Khomesh Sahu S/o Anant Sahu Aged About 30 Years R/o Bhatapara, Naya Ganjwar, Near Balaji Loha Dukan, Bhatapara, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondent

For Appellant
For Respondent

Shri K.N. Nande, Advocate
Shri K.K. Pandey, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****By****Prashant Kumar Mishra J.****06/12/2018**

1. Trial Court has passed the decree for divorce by mutual consent on the basis of application filed by the parties on 2-1-2018 (Annexure – A/2).
2. In this appeal, the appellant would pray that the decree has not been passed in terms of settlement particularly mentioned in paras 4 and 7 (b) of the application, therefore, the decree needs to be modified.

3. In course of hearing also both the parties would agree that the condition was agreed and incorporated in the application that the respondent husband shall maintain his son who shall reside with the mother (appellant herein), however, while preparing the decree this term of settlement has been left out.
4. Considering the statement of the parties in para 4 and the prayer for passing a decree in terms of clause 7 of the application, the instant first appeal is disposed of by modifying the impugned decree to the extent that the respondent shall pay an amount of Rs.4,000/- per month to the appellant for maintenance of their son. The modification is only an addition to the original decree.
5. A modified decree be drawn accordingly.

Sd/-
Judge
Prashant Kumar Mishra

Sd/-
Judge
Vimla Singh Kapoor

Gowri