

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.1208 of 2016

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Puja Kumari @ Chandani D/o Kamleshwari Singh, W/o Avdhesh Kumar
resident of village - Chhoti Phatoriya, P.S. - Alamnagar, District - Madhepura.

... .. Appellant/s

Versus

Avdhesh Kumar @ Abdhesh Kumar son of Bindeshwari Prasad resident of
village - Bari Pasaraha, P.S. - Pasaraha, District - Khagaria and at present
residing at Mohalla - Maruf Chak, P.S. - Mojahidpur, District - Bhagalpur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anant Kumar-1
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA)**

Date : 18-11-2019

A joint affidavit is being filed on behalf of the
parties. Let it be kept on record.

At the very outset, learned counsels appearing for
the parties point out that at paragraph 5 of joint affidavit in first
line in place of word “appellant”, the word “respondent” has
inadvertently been typed and similarly in third line of para 5 in
place of appellant it has inadvertently been typed as
“appealing”.

Learned counsels further submit that both the
parties have amicably settled the dispute and Rs. 15 lacs has



already been deposited in the account of appellant which was paid to her by the respondent through bank draft and the same is evident from perusal of Annexure -A series to the joint affidavit dated 16.11.2019.

Learned counsels further submit that both the parties shall take proper step for getting the Complaint Case No. 147 UK of 2015 pending in the Court of S.D.J.M., Udakishunganj, Madhepura, Maintenance Case No. 62 of 2016 filed under Section 125 of the Cr.P.C. pending before the Principal Judge, Family Court, Madhepura and Cr. Misc. Case No. 3085 of 2016 pending before this Court disposed of within 3 months. Learned counsels further submit that the appellant now wants to withdraw this appeal.

In view of the aforesaid submissions, learned counsels for the parties are permitted to make correction at paragraph 5 of the joint affidavit dated 16.11.2019 in course of the day because the correction appears to be clerical nature.

Furthermore, appellant is permitted to withdraw this appeal and accordingly, this appeal stands disposed of as withdrawn in terms of agreement arrived at between the parties. It is made clear that the appellant shall not be entitled to file fresh appeal against the impugned judgment.



Let a copy of this order be sent to S.D.J.M.,
Udakishunganj and Principal Judge, Family Court separately
with direction to both the above stated courts to take appropriate
step in the above stated cases if the parties approach the
concerned Court.

(Hemant Kumar Srivastava, J)

(Partha Sarthy, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.11.2019
Transmission Date	NA

