

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.72 of 2017

Sushil Kumar Rai

... .. Appellant/s

Versus

Juli Kumari

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dr. Ratan Kumar

For the Respondent/s : Mr.

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

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

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

13 28-11-2019 Appellant Sushil Kumar Rai and respondent Juli Kumari are present with their respective learned counsels Sri Uma Nath advocate and Miss Vagisha Pragya advocate.

This Court took pain to reconcile the dispute of the parties and in a very happy atmosphere both the parties agreed to resolve their dispute on the following terms and conditions:-

(i) The appellant namely, Sushil Kumar Rai shall pay Rs. 3,00000/- in one time settlement to respondent Juli Kumari.

(ii) The aforesaid amount of Rs. 3,00000/- shall be paid within fifteen months from today.

(iii) The aforesaid amount of Rs. 3,00000/- shall be paid in installment and the appellant Sushil Kumar Rai shall pay first installment of Rs. 20,000/- by 20th December 2019 and, after that the appellant Sushil Kumar Rai shall pay the remaining installment of the aforesaid amount by 20th day of each succeeding month till realization of the aforesaid amount within the above stated period of 15 months.



(iv) Respondent Juli Kumari shall not make any claim in future against the appellant Sushil Kumar Rai in connection with their marriage.

(v) Furthermore, both the parties agreed that if the appellant Sushil Kumar Rai fails to comply with the above stated agreement, the judgment and decree dated 05.12.2016 shall remain in-force.

(vi) Furthermore, both the parties agreed that the impugned judgment be modified on the basis of above stated terms and agreement and this agreement shall be part of decree of divorce.

In view of the aforesaid agreement, this appeal stands disposed of making it clear that impugned judgment and decree dated 05.12.2016 passed in Matrimonial Case No. 323 of 2013 shall be deemed to be modified to the extent of above stated agreement after realization of entire settled amount within the above stated period and marriage of appellant and respondent shall be deemed to be dissolved.

N.K/-

(Hemant Kumar Srivastava, J)

(Partha Sarthy, J)

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