

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.258 of 2016

Shivani @ Seema @ Sima wife of Sri Gautam Singh, presently residing with her father Sri Arvind Singh, Resident of Village- Jethaur JAmue, P.S- Amarpur, District- Banka, earlier residing at C/o U.P. Singh, Vikramsheel Colony, Bhagalpur.

... .. Appellant/s

Versus

Gautam Singh son of Sri Mrityunjay Kumar Singh, Resident of Village- Karanja, P.S. Shambhuganj, District- Banka, at present Lecturer in G.B. Panth, Degree College, Kachhala Bandaun, District- Bandaun U.P.

... .. Respondent/s

with

CRIMINAL REVISION No. 535 of 2016

Arising Out of PS. Case No.- Year-1111 Thana- District-

Shivani @ Seema @ Sima

... .. Petitioner/s

Versus

Gautam Singh

... .. Respondent/s

Appearance :

(In Miscellaneous Appeal No. 258 of 2016)

For the Appellant/s : Mr. Abhay Shankar Singh

For the Respondent/s : Mr. Prem Ranjan Raj

(In CRIMINAL REVISION No. 535 of 2016)

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Respondent/s : Mr. Prem Ranjan Raj

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

25 21-10-2024

Miscellaneous Appeal No.258 of 2016

In view of earlier order dated 07.10.2024, respective parties are present in the Court.



2. Joint application on behalf of the appellant and respondent has been filed in the light of Order XXIII Rule 3 of the Code of Civil Procedure read with Section 151 of the Code of Civil Procedure while furnishing Annexures A/5 and A/6 series on 05.09.2024 and the same has been taken on record.

3. Annexure A/5 is the deed of matrimonial settlement agreement which has been signed by the respective parties. Annexure A/6 series is xerox copy of the cheques drawn in the favour of appellant in the State Bank of India in terms of memorandum of settlement deed dated 02.08.2024, the same is taken on record for the purpose of disposal of the present Miscellaneous Appeal No. 258 of 2016.

4. Parties have been identified by the respective counsels. Court Master is hereby directed to take the signatures of the parties in the Office Notes. Matrimonial Case Nos. 326 of 2010 and 53 of 2008 would not be hurdle for the parties in view of the settlement deed entered into by the respective parties on 02.08.2024.

5. Accordingly, present miscellaneous appeal stands disposed of.

6. The appellant is hereby directed to withdraw all those cases against the respondent which are pending



consideration before various jurisdictional Courts within a period of eight weeks from today.

7. In terms of Annexure A/6 series cheques which are drawn in favour of the appellant *Shivani @ Seema @ Sima* are handed over to her while passing this order. The same has been taken note of.

CRIMINAL REVISION NO. 535 of 2016

8. In Cr. Rev No. 535 of 2016 which has been tagged with MA No. 258 of 2016, may not survive in view of the settlement in M.A. No. 258 of 2016.

9. Accordingly, Cr. Rev. No. 535 of 2016 stands disposed of as it has become infructuous, in view of later development between the respective parties to the extent of settlement deed dated 02.08.2024.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

GAURAV S./-

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