

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.974 of 2019

Punam Devi @ Kumari Poonam W/o Ashok Tiwary, D/o Late Rambichar Dubey at present R/o Village- Sasamusa, P.S.- Kuchaikot, District- Gopalganj.

... .. Appellant/s

Versus

Ashok Tiwary S/o Ram Nakshatra Tiwary R/o Village- Bhathwa Roop, P.S.- Kuchaikot, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ranjeet Kumar Pandey, Advocate
For the Respondent/s : Mr. Pankaj Kumar Dubey, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DR. ANSHUMAN)

16 03-09-2025 In pursuance of the direction of this Court, both appellant-wife and respondent-husband have appeared in person with their respective Counsels.

2. Vide order No.14 dated 23.07.2025, both the parties were directed to file a joint compromise petition on the next date of hearing, which they could not file on 20.08.2025, but filed today in the Court, hard copy of the same is directed to be accepted. The terms of the settlement as mentioned in the compromise petition are as follows:-

“I. That during the pendency of the Miscellaneous Appeal both the parties



appellant-wife and respondent husband settled all the dispute out side the court with healthy mind without any interference.

II. That the appellant wife agree to withdraw all the litigations against the respondent-husband, including trial No. 98 of 2019 arising out of Kuchai Kot P.S. Case No. 14 of 2005 and Cr Misc. No. 87208 of 2019 which is pending this High Court. The appellant wife also agree to honour the decree of divorce dated 17.09.2019 passed in M.M. No.77 of 2013 by learned Principal Judge, Family Court, Gopalganj and withdraw the present Appeal filed against the aforesaid order.

III. That both the parties Appellant-wife, Respondent- husband agree that they would not file any civil and criminal case including maintenance case against one another in future. The respondent agree to pay rupees 8,00,000/- (eight lakhs) to the appellant for settlement of their disputes. The respondent shall pay rupees two lakh (2,00,000/-) at the time of final disposal of Mislaneous Appeal No. 974 of 2019 and he would pay the rest amount, i.e., six lakh (6,00,000/-), in 10 equal installments within a period 10 months. The respondent would pay first



installment within a period of one month from the date of disposal of the M.A.No. 974 of 2019.

IV. That the appellant agreed to break all the relations with the respondent from the date of disposal of the Miscellaneous Appeal and she would not claim any money or property from the respondent further after taking rupees eight lakhs from the respondent.

V. That the joint compromise petition has been filed with affidavit of both the parties.”

3. In the light of the settlement, this Miscellaneous Appeal is hereby disposed off. The judgment dated 03.09.2019 and decree dated 17.09.2019, passed and prepared by the Principal Judge, Family Court, Gopalganj, in Matrimonial Case No.77 of 2013 is hereby affirmed with a slight modification that the dissolution shall be made subject to payment of rupees eight lakhs as permanent anomaly for life support of appellant payable in 10 equal installments in which first installment shall be of rupees two lakhs and rest ten installments shall be of rupees sixty thousand through post dated cheques. Details are mentioned below:-

“I. Cheque No. 394124 dated 12.07.2026 amounting to Rs.60,000/- of the



State Bank of India issued by Ashok Tiwari (respondent) in favour of Kumari Punam.

II. Cheque No. 232005 dated 12.02.2026 amounting to Rs. 60,000/- of the State Bank of India issued by Ram Nakshtra Tiwari & Shanthi Devi R Tiwari (respondent's father and mother) in favour of Kumari Punam.

III. Cheque No. 232004 dated 12.03.2026 amounting to Rs.60,000/- of the State Bank of India issued by Ram Nakshtra Tiwari & Shanthi Devi R Tiwari (respondent's father and mother) in favour of Kumari Punam.

IV. Cheque No. 232003 dated 12.04.2026 amounting to Rs.60,000/- of the State Bank of India issued by Ram Nakshtra Tiwari & Shanthi Devi R Tiwari (respondent's father and mother) in favour of Kumari Punam.

V. Cheque No. 232001 dated 12.05.2026 amounting to Rs.60,000/- of the State Bank of India issued by Ram Nakshtra Tiwari & Shanthi Devi R Tiwari (respondent's father and mother) in favour of Kumari Punam.

VI. Cheque No. 232002 dated 12.06.2026 amounting to Rs.60,000/- of the State Bank of India issued by Ram Nakshtra



*Tiwari & Shanthi Devi R Tiwari
(respondent's father and mother) in favour
of Kumari Punam.*

*VII. Cheque No.000116 dated
03.09.2025 amounting to Rs.2,00,000/- (two
lacs) of the ICICI Bank issued by Ashok
Ramnakshtra Tiwari (respondent) in favour
of Kumari Punam.*

*VIII. Cheque No.000117 dated
12.10.2025 amounting to Rs.60,000/- of the
ICICI Bank issued by Ashok Ramnakshtra
Tiwari (respondent) in favour of Kumari
Punam.*

*IX. Cheque No.000118 dated
12.11.2025 amounting to Rs.60,000/- of the
ICICI Bank issued by Ashok Ramnakshtra
Tiwari (respondent) in favour of Kumari
Punam.*

*X. Cheque No.000119 dated
12.12.2025 amounting to Rs.60,000/- of the
ICICI Bank issued by Ashok Ramnakshtra
Tiwari (respondent) in favour of Kumari
Punam.*

*XI. Cheque No.000120 dated
12.01.2026 amounting to Rs.60,000/- of the
ICICI Bank issued by Ashok Ramnakshtra
Tiwari (respondent) in favour of Kumari
Punam.”*

4. It is made clear that appellant shall withdraw the



criminal case pending against the respondent and shall take every steps for closing of Kuchaikot P.S. Case No.14 of 2005. The application for withdrawal shall be filed subject to honour of all cheques.

(Bibek Chaudhuri, J.)

(Dr. Anshuman, J.)

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