

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.710 of 2023

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Alok Ranjan S/o Sunil Chandra Mishra R/o Anand Kutir Veena Kunj, P.O and
P.S.- Madhuban, Dist- Madhubani, Bihar-847211

... .. Appellant/s

Versus

Minu Jha D/o Hirendra Kumar Jha R/o Pubai Tol Koilakh, P.O- Koilakh, P.S-
Rajnagar, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Deo Prakash Singh, Advocate
For the Respondent/s : Mr. Sandeep Jha, Advocate
Mrs. Pratima Kumari, Advocate

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

(Per: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI)

25 26-02-2026 The learned Advocates for the appellant and the
Respondents are present.

2. The appellant is physically present and the
respondent is also physically present with her father.

3. In view of conciliated efforts, the parties agreed to
settle their matrimonial dispute amicably and accordingly, they
have filed joint petition for dissolution of marriage under
Section 13B of the Hindu Marriage Act.

4. We have personally interrogated both the appellant
and the respondent, they have stated that as a result of mutual
differences, unavailability and also due to the effect that they are
living separately for long period of time, they have mutually



agreed to dissolve their marital ties on the following terms and conditions as per the settlement agreement filed on 08.01.2026.

5. Clause 15(A) to 15(F), 17 & 18 of the agreement are quoted below:-

“A) Both the parties hereto have arrived at an amicable settlement for dissolution of marriage by mutual consent.

B) That the Appellant/Husband agreed to pay Rs. 65,00,000/- (Rupees Sixty-Five Lakhs Only) within 3 months in the Hon'ble Court to the Respondent/wife through DD payable in favour of the Respondent/Wife and this consolidated cost settlement amount shall be inclusive of the cost of jewelleries 70 gms (approx) and there shall not be any other payment except this mutually agreed settlement amount.

C) That the parties have agreed to withdraw the cases filed against each other within four weeks after the Final hearing of the respective matters citing the Permanent Settlement order between them as per the details of cases filed by the parties against each other provided in para 6 of this settlement above.

D) That the Respondent/Wife and Appellant/Husband hereto confirm and declare that they have, voluntarily and of their own free will decided not to live together as wife and husband.



E) That the parties shall not be at liberty to remarry till the compliance of this Deed of Permanent Settlement between them.

F) That the Respondent/Wife shall be obligated to withdraw entire civil and criminal cases filed against the Appellant/Husband before the final installment payment to her by the Appellant/Husband as compliance of Deed of Permanent Settlement.”

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17. In view of the terms of this settlement-agreement, both the parties herein undertake to withdraw all the pending cases against each other before any court of law or any other forum and would take all necessary steps for the same forthwith.

18. Both the parties undertake that henceforth, they would not interfere in the life of each other by any means and would not file any civil or criminal complaint or any case against each other or their family members with regard to the present matrimonial alliance hereinafter.

6. It is also recorded that today the appellant through his learned Advocate paid a sum of Rs.65,00,000/- only (Rupees Sixty Five Lacs only) through four numbers of Demand Drafts. The respondent/wife has accepted the same. Photostat copies of the Demand Draft is filed with the record by way of a



supplementary affidavit.

7. In view of Clause-17 of the agreement, the parties shall withdraw the following cases :-

“i)FIR No. 59/2016 at Mahila P.S. Darbhanga, dated 06/07/2016 u/s 323, 498A, 504, 506 and 34 of IPC.

ii) Matrimonial (Restitution) Case No. 183/2016, in the Court of the Principal Judge, Family Court, Darbhanga on 21/09/2016.

iii) Maintenance Case No. 160/2016, in the Court of the Principal Judge, Family Court, Darbhanga on 19/10/2016.

iv) Cr. Misc Case No. 81983/2024, dated 26/10/2024 in the High Court of Judicature at Patna for cancellation of bail of the Appellant/Husband.”

8. Since all the relevant terms and conditions are recorded in the order itself, it is not necessary to treat the agreement as a part of the order.

9. Decree be drawn up under Section 13B of the Hindu Marriage Act in terms of this order.

10. In view of order being passed, the order passed by



the Trial Court in Matrimonial Case No.25 of 2016 vide judgment dated 08.09.2023 and decree dated 14.09.2023 respectively, passed by learned Principal Judge, Family Court, Madhubani be set aside.

(Bibek Chaudhuri, J)

(Dr. Anshuman, J)

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