

IN THE HIGH COURT OF SIKKIM

CIVIL JURISDICTION

**RP (FAM CT) No. 02/2014
Madan Pradhan vs. Seema Rai**

**BEFORE
HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N.K. JAIN**

05. 29.09.14 Present: M/s. K.T. Tamang, Ashok Pradhan and Bhushan Nepal, Advocates for the Petitioner.

Mr. Madan Pradhan, Petitioner in person.

M/s. Anita Thapa and Roshni Chettri, Advocates for Respondent.

Ms. Seema Rai, Respondent in person.

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Heard learned counsel for the parties.

2. Petitioner has preferred this Revision Petition under Section 19(4) of the Family Courts Act, 1984 against the impugned order dated 17.05.2014 passed by the Judge, Family Court, East and North Sikkim at Gangtok, in Petition under Section 125 of Cr. P.C./052/2013, whereby the learned Family Court, while allowing the Application under Section 125 Cr. P.C. filed by applicant/non-petitioner, has directed the non-applicant/petitioner to pay a sum of Rs.10,000/- (Rupees Ten Thousand) per month towards maintenance.

3. During pendency of this Revision Petition, the parties have entered into a compromise. The written Compromise Deed dated 29.09.2014, duly signed by the parties and their counsel, has been placed on record.

4. Both the parties are present in person. They have been identified by their respective counsel. Both the parties have admitted the contents of Deed of Compromise dated 29.09.2014 to be true and correct. A sum of Rs.4.00 lakhs (Rupees Four Lakhs) in cash, and a cheque of Rs.2.00 lakhs (Rupees Two Lakhs), totalling Rs.6.00

lakhs (Rupees Six Lakhs), has been handed over by petitioner to respondent in the Court.

5. Since parties have entered into a compromise, therefore, this petition stands disposed off in terms of compromise to the extent of Maintenance only. A copy of Deed of Compromise will form part of this order.

6. It is made clear that this order is confined to a dispute with regard to maintenance under Section 125 Cr. P.C. only and not with regard to divorce between the parties, as mentioned in paragraph 8 of the Compromise Deed. Parties are free to approach the appropriate forum for grant of divorce, in accordance with law.

Chief Justice
29.09.2014

pm/jk Index : ~~Yes~~ / No
Internet : Yes / ~~No~~