

IN THE HIGH COURT OF JHARKHAND AT RANCHI
F.A. No.128 of 2024

Sumit Kumar, S/o Shree Mohan Yadav, aged 36 years, present resident of, Plot No.309, Phase-5, K.K. Singh Colony, Chira Chas, P.O.+P.S.-Chas, District-Bokaro, Jharkhand.

.... **Appellant(s)**

Versus

Shweta, W/o Sumit Kumar, D/o Sheo Lakhon Prasad Yadav, present resident of Qrs. No.7204, Sector-4/F, P.O.+P.S., Sector – 4, B.S. City, District – Bokaro, Jharkhand

.... **Respondent(s)**

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Rahul Anand, Adv.

For the Respondent(s) :

05/Dated: 06th October, 2025

1. Learned counsel appearing for the appellant, on instruction, has submitted that the matter has been compromised and in that view of the matter liberty has been sought for making an application under Section 13B of the Hindu Marriage Act, 1955.
2. Learned counsel for the appellant further submits that, in such eventuality, the judgment passed by the learned Principal Judge, Family Court, Bokaro, in Original Suit No. 502 of 2019, which is impugned in the present First Appeal, may not come in the way of the parties seeking relief under Section 13B of the Hindu Marriage Act, 1955.
3. We have heard learned counsel for the appellant and, considering the submissions made as noted hereinabove, are of the view that liberty deserves to be granted to the appellant to withdraw the present First Appeal, with further liberty to file an appropriate application under Section 13B of the Hindu Marriage Act, 1955.
4. It is needless to observe that if such an application is filed under Section 13B of the Hindu Marriage Act, 1955, the impugned judgment shall not operate as an impediment to the consideration of the said application on its own merits.
5. Accordingly, the present First Appeal is disposed of as withdrawn, with the liberty as aforesaid.

(Sujit Narayan Prasad, J.)

(Rajesh Kumar, J.)