

IN THE HIGH COURT OF JHARKHAND AT RANCHI

F.A.No. 130 of 2024

Sanjay Mandal, aged about 33 years, Son of Late Sitaram Mandal, P.O. & P.S. Kandra, District-Seraikella-Kharsawan (Jharkhand) ... Appellant/Petitioner

Versus

1. Rekha Mandal, aged about 31 years, wife of Sanjay Mandal, now residing in her father's house Uperbeda, Tentoposi, P.O. & P.S. Tentoposi, District Myurbhang (Odisha)
2. Bablu Mandal, son of Deben Mandal, resident of village Dumara, P.O. & P.S. Kandra, District-Seraikella-Kharsawan (Jharkhand) ... Respondents/Opp. Parties

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**CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE ARUN KUMAR RAI**

For the Appellant : Mrs. Vani Kumari, Advocate

For the Respondents : Mr. Abhishek Kumar Dubey, Advocate

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Order No. 06/dated 17.10.2025

The instant appeal under Section 19 (1) of the Family Court Act, 1984 is directed against the Judgment dated 16.03.2024 and decree signed on 21.03.2024 passed by the learned Principal Judge, Family Court, Seraikella-Kharsawan in Original Suit No. 80 of 2019 whereby and whereunder the learned Court has dismissed the case of the appellant.

2. It is evident from the order dated 17.07.2025 which has been passed by this Court that on the wish of the parties, the matter was referred to the Special Mediation Drive-Mediation "For the Nation".

3. The parties have appeared before the Mediator on 16.09.2025 and agreed on the basis of the terms and conditions as referred in paragraph 4 of the mediation report. As per the condition stipulated in paragraph 4 (C) of the mediation report

that the parties have agreed to make a petition under Section 13(B) of the Hindu Marriage Act before learned court of District Judge, Seraikela-Kharsawan after making payment of the first installment and the second installment at the time of moving first motion petition under Section 13(B) of the Hindu Marriage Act, for ready reference, terms and conditions of the mediation report is being referred hereunder:

(A) That both the parties have amicably settled their dispute as one time settlement of Rs 7,00,000/- (Rs Seven lakhs) which would be paid in three installment by the appellant to the respondent No.1.

(B)The first installment will be paid by the appellant before the Hon'ble Court on or before the next date of hearing in the above matter of Rs. 2,00,000/- (Rupees Two Lakhs only) by way of demand draft.

(C)The second installment of Rs. 2,50,000/- (Rupees Two lakh fifty thousand only) at the time of moving first motion petition u/s 13(B) of Hindu Marriage Act before the learned court of the District Judge, Seraikela-Kharsawan.

(D)The third and the final installment of Rs. 2,50,000/- (Rupees Two lakh fifty thousand only) at the time of moving second motion petition u/s 13 (B) of Hindu Marriage Act before the learned court of the District Judge, Seraikela- Kharsawan.

(E)That the articles as given in separate list will be given by the appellant to the respondent on the date of moving of the First motion petition u/s 13 (B) of Hindu Marriage Act before the learned court of the District Judge, Seraikela-Kharsawan.

4. It is thus evident that the settlement arrived in between the parties that both the parties have agreed for mutual divorce

by making petition under Section 13 (B) of the Hindu Marriage Act, 1955 subject to the payment of first installment of Rs.2,00,000/-. Thereafter the second installment has been agreed to be paid to a sum of Rs.2,50,000/- on the date when the first motion petition will be filed under Section 13(B) of the Hindu Marriage Act, 1955.

5. Learned Counsel appearing for the respondent-wife has submitted that the first installment has not yet been paid.

6. Mrs. Vani Kumari, learned Counsel appearing for the appellant-husband, on telephonic instruction today, has submitted that by 30.10.2025 the first installment as per the condition No. 4 (B) & 4 (E) shall be paid.

7. Let the said amount, as per the aforesaid instruction, be paid by 30.10.2025.

8. So far as the second installment of Rs. 2,50,000/- is concerned, which is to be paid on the day when the first motion petition under Section 13 (B) of the Hindu Marriage Act will be filed before the learned court of the District Judge, Seraikella-Kharsawan. The third and the final installment of Rs.2,50,000/- will be paid at the time of moving second motion petition under Section 13(B) of the Hindu Marriage Act.

9. In view of the undertaking furnished before this Court of making payment of the first installment to the tune of Rs.2,00,000/- by 30.10.2025, let the first installment be paid

by 30.10.2025 so that the other conditions i.e. available in paragraph No. 4(C), 4(D) & 4(E) be complied with.

10. Although in the terms and conditions, no time schedule has been given of making first motion of filing petition under Section 13 (B) but in the ends of justice, this Court is of the view that a time frame must be there so that the terms and conditions of the mediation be adhered to strictly.

11. Learned Counsel appearing for both the parties have agreed to make first motion petition under Section 13 (B) of the Hindu Marriage Act within the period of eight weeks from 30th October, 2025 i.e. up-to 30th December, 2025.

12. Accordingly, the instant First Appeal stands disposed of in terms of the conditions of the settlement arrived at as available in the mediation report.

(Sujit Narayan Prasad, J.)

(Arun Kumar Rai, J.)

Dated 17th October, 2025
P.K.S./Suman