

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Rev No. 18932 of 2024

Pravesh Kumar son of Chandradhan Mahto r/o village Banuwa PO & PS
Lesliganj, Dist-Palamau Petitioner

-Versus-

1.The State of Jharkhand
2. Priti Kushwaha w/o Pravesh Kumar, D/o Niranjan Mahto, at Vill-Bhusra, PO
& PS- Parwa, Dist- Palamau, at present Housing Colony, PO & PS Daltongan
town, Dist- Palamau, Jharkhand Opposite Parties

CORAM :- HON'BLE MR. JUSTICE RATNAKER BHENGRA

For the Petitioner :- Mr. Abhay Kr. Chaturvedy, Advocate
For the State :-Ms. Mohua Palit, APP

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04/01.10.2024:

IA No. 9661 of 2024

When the matter is called out, the learned counsels
for the parties are present.

This interlocutory application has been filed on
behalf of the petitioner for exemption from surrender in
the instant revision application under rule 159 of the High
Court of Jharkhand Rules and also in view of the settled
law of the Hon'ble Supreme Court.

The learned counsel for the petitioner submits that
apart from this case, there is Original Maintenance Case
No. 129 of 2020 pending in the concerned jurisdictional
Court below and in this case the matter was referred for
mediation to the mediation centre, Palamau and after
mediation it was agreed between the parties that Pravesh
Kumar, who is the petitioner herein would pay Rs. 10
thousand every month to OP No.2 and her children. It was
also agreed by Priti Kushwaha who is OP No.2 that if 6
months thereafter, i.e. 31.12.2023, if everything remains
fine then all the cases between them would be resolved.

The learned counsel for the petitioner further
submits that in view of the terms in the mediation during
Original Maintenance Case No. 129 of 2020, he may be

allowed the privilege of exemption from surrender or the period of surrender may be extended and the OP No.2 may be noticed. It is further submitted that in compliance of this mediation, the petitioner is regularly paying his wife and children after 15.06.2023, which is the date of settlement by the mediation.

In view of the submissions made, the petitioner is exempted from surrender in the concerned learned Court below till the next date of hearing.

Meanwhile Issue notice to Opposite Party No.2 through registered cover with A/D as well as by ordinary process for which requisites etc. to be filed within three weeks.

The learned counsel for the petitioner is directed to implead the informant as OP No.2 during course of the day.

Let the original certified copy of the settlement arrived at mediation centre, Palamau to be kept as part of the record.

Thereafter, list this case on 28.10.2024.

(Ratnaker Bhengra, J.)

Abha/