

IN THE HIGH COURT OF JHARKHAND AT RANCHI

**F.A. No. 114 of 2015
WITH
I.A. No. 4661 of 2015**

Priyanka Sarkhel	...	Appellant
	-versus-	
Baban Sarkhel	Respondent

**CORAM : HON'BLE MR. JUSTICE VIRENDER SINGH, CHIEF JUSTICE
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR**

For the Appellant : Mr. S.K. Thakur, Advocate

For the Respondent : Mr. M.B. Lal, Advocate

Order No.06/Dated : 17th June, 2016
Per Virender Singh, C.J.

I.A. No.4661 of 2015

1. For the reasons carved out in the instant application and there being no objection from the other side, the delay of 136 days in filing the accompanied appeal is hereby condoned.
2. I.A. No.4661 of 2015 stands disposed of accordingly.

F.A. No.114 of 2015

1. Some times clash of ego between the couple turns out to be a cause of marital discord, therefore, while dealing with such type of cases, a sincere attempt is required to be made by the concerned Presiding Judge of the Family Court dealing with the case to settle the disputes amicably, if possible, in the very start of the matter, which exercise appears to have not been done in the case on hand.
2. What appeared to us while dealing with the instant appeal, which has been filed by the appellant-wife against the judgment and decree earned by the respondent-husband under Section 9 of the Hindu Marriage Act taking

the plea that after even giving birth to a son out of this wedlock, the marriage being of 2008, the appellant-wife had completely withdrawn herself from the society of the respondent-husband since 2010 without any reasonable excuse whereas the plea taken by the appellant-wife was that at the time of marriage, she was hardly of the age of 20 years and eager to build up her career, but her husband and his family members, who had initially agreed that they would permit her to go ahead with her further studies, refused and assigned her domestic work, this being the bone of contention between this young couple, if an attempt is made, perhaps this young couple could be reunited. We, thus, intervened and directed the appellant-wife and respondent-husband to appear in person. The matter was then taken up on 6th of May, 2016 on which date, both the parties were present. Father of the appellant-wife, Shri Indrajit Chakraverty was accompanying his daughter. We could persuade upon the couple to stay together and the appellant willingly agreed to it. She joined the company of the respondent-husband from the Court itself. However, learned counsel for both the sides made a joint request for keeping the instant matter pending for at least 4-6 weeks for further assessment of the decision taken by the couple on that day. It is how the instant matter is placed before us today once again.

4. The appellant and the respondent are present in the Court. Shri Indrajit Chakraverty, father of the appellant has also come present. The couple makes a joint statement that they are staying together very happily and if there was any misunderstanding between them, they have resolved it themselves.

5. The appellant and the respondent have volunteered to work as Para Legal Volunteers (PLVs)/ Mediators/Conciliators on behalf of Jharkhand State Legal Services Authority (JHALSA). We appreciate it. Since the

respondent-husband is residing in the District of Dhanbad, we direct Principal District Judge, Dhanbad, who is also the Chairman of District Legal Services Authority (DLSA) Dhanbad to empanel both of them as PLVs on behalf of DLSA. In our considered view, this couple would be in a better position to give effective counseling in cases of matrimonial disputes, which would be in the larger interest of the Society. We are also of the view that JHALSA in appreciation for the offer made by this couple to act as Para Legal Volunteers/Mediators/Conciliators should honour them. Therefore, we direct Member Secretary, JHALSA to present a memento to this couple on behalf of JHALSA and also a small gift, usable for the couple, may be any household item as an incentive.

6. With these observations, we wrap up the proceedings of the instant appeal with a very satisfying note. **May God bless this couple.**

7. Disposed of as such.

8. Let a copy of the order be conveyed to the Executive Chairperson of Jharkhand State Legal Services Authority and also to the Chairman, District Legal Services Authority, Dhanbad without any delay. Registrar General to take note of it.

(Virender Singh, C.J.)

(Shree Chandrashekhar, J.)