

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No. 766 of 2012

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Kunal Kaushal @ Varun Kumar Son of Sri Mohan Prasad Mandal Resident of
Village -Nirpur, P.S.-Bariarpur, District-Munger.

.... Petitioner/s / Appellant/s

Versus

Sangita Devi Wife of Kunal Kaushal @Varun Kumar, Daughter of Tanik Lal
Singh, Resident of Mohalla-Keshopur Nakki Nagar, Badal Das Thakurwari
Jamalpur, P.S.-Jamalpur, District-Munger.

.... ...Respondent/s / Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 07-04-2015

Husband is the appellant. He has challenged order dated 31.08.2012 passed by the Principal Judge, Family Court, Munger in Title Suit (Matrimonial) No. 74 of 2005 whereunder his petition under Section 13 of the Hindu Marriage Act for dissolution of marriage with sole respondent has been rejected after appraising the evidence of the parties. Appellant examined himself as P.W. 1. His evidence has been considered by the Court below in Paragraph-7 of the judgment wherefrom it appears that he had to file this petition for divorce as the wife has deserted him four months after giving birth to a girl child on the ground that she was not ready to reside in the village home and insisted that husband should leave his job at Bariarpur and settle in big town. The Court below has rejected the case of the appellant in the light

of the deposition of the respondent wife who examined herself as R.W. 1 which has been considered by the Court below in Paragraph-10 of the impugned judgment. It appears from the evidence of R.W. 1 that she left the matrimonial house after four months of the birth of a girl child as the appellant and the in-laws of the respondent began to demand dowry and she had to file a complaint case.

Having gone through the impugned judgment, we are satisfied that the Court below has taken a reasonable view in the matter which does not require any interference. The Appeal is dismissed.

(V.N. Sinha, J.)

(Ahsanuddin Amanullah, J.)

P. Kumar

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