

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.883 of 2012

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Anil Kumar, S/o Mithilesh Kumar Verma, Resident of Mohalla- Adarsh Colony,
Shyam Chak, P.S- Bhagwan Bazar, District- Saran at Chapra.

.... Appellant

Versus

Jaya Sinha, W/o Anil Kumar, D/o Mukteshwar Prasad, Resident of Mohalla-
Prabhunath Nagar, P.S- Chapra Mufassil, District- Saran at Chapra.

.... Respondent

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Appearance :

For the Appellant : Mr. Dewendra Narayan Singh, Advocate.
Mr. A.N. Singh-I, Advocate.

For the Respondent :

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

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

Date: 07-07-2015

By filing this appeal appellant has
assailed judgment dated 31.07.2012 passed by
Principal Judge, Family Court, Saran, Chapra in
Matrimonial Case No. 156 of 2006, whereunder
Matrimonial Suit filed on the ground of insanity of the
wife has been rejected holding that the same is not
maintainable as her guardian or next friend has not
been impleaded as party respondent in the suit.

2. While rejecting the matrimonial case
on ground of maintainability in Paragraph 13 the
court below has not considered the other grounds

raised in support of the petition for divorce, so submitted counsel for the appellant. If that be so, appellant may be advised to file a fresh suit for reconsideration of the grounds which have not been dealt with in the impugned order.

3. The Miscellaneous Appeal is, accordingly, disposed of.

(V.N. Sinha, J)

(Nilu Agrawal, J)

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