

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.341 of 2014

In
MA 584 of 2011

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Anita Devi

.... Petitioner/s

Versus

Sri Hari Narain Rai

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

3 18-02-2015

The delay in filing the review application is condoned.

I.A. No.7744 of 2014 is, accordingly, disposed of.

On merits, learned counsel for the petitioner submits that there cannot be any ex parte decree in a matrimonial case in view of the decision of this Court in the case of Sweta Rani v. Dr. Deepak Kumar Prasad: 2014 (4) BBCJ 378.

From a perusal of the aforesaid decision, I do not find that any such proposition has been laid down therein; rather the said case was one of the failure of conciliation on account of non-appearance personally by the wife and instead of closing the conciliation proceeding, the Family Court had proceeded ex parte in the main matter itself, whereas the respondent wife in the said case had already filed her written statement and was present in court through counsel on several dates, including the date on which the order making the case ex parte had been passed. No

such issue arises in the present matter.

Further, learned counsel for the petitioner is unable to show any apparent error in the order sought to be reviewed in the present matter or any ground available for invoking the civil review jurisdiction of this Court.

The review application is, accordingly, dismissed.

V.P.Sinha/-

(Ramesh Kumar Datta, J)

(Dr. Ravi Ranjan, J)

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