

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1120 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- AURANGABAD

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1. Mohd. Shamim, son of late Latif Miyan, resident of Pathak Tola Rafiganj, P.S. Rafiganj, District- Aurangabad
 2. Mohd. Naseem @ Naso, both sons of late Latif Miyan, resident of Pathak Tola Rafiganj, P.S. Rafiganj, District- Aurangabad

.... Petitioner/s

Versus

1. Bibi Hakiman Khatoon, wife of late Latif Miyan
 2. Parween Khatoon Daughter Of Late Latif Miyan
 3. Md. Aleem @ Mukhiyjee Son Of Late Latif Miyan
- All are Resident Of Pathak Tola Rafiganj, P.S. Rafiganj, District- Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Adv.

For the State : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-12-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated 18.7.2013 by which the Principal Judge, Family Court, Aurangabad, in Misc. Case No. 55 of 2011 directed the Petitioners for payment of Rs.50,000/- towards the marriage expenses of the Opposite Party No. 2 .

It has been submitted that after their ancestral house was sold, the due amount was given to the Opposite Party No. 1 even for the marriage of the Opposite Party No. 2 and, therefore, there was no justification for having directed such payment

On the last occasion, notices had been issued to the Opposite Parties but none appears on their behalf to contest this petition.

In view of such, the application is allowed and the Proceeding including the order dated 18.7.2013 passed by the Principal Judge, Family Court, Aurangabad, in Misc. Case No. 55 of 2011, is hereby, set aside.

However, it will be open to the Opposite Parties to agitate their cause if at all they still dissatisfied by this order in the Court below and this order shall not prevent the Court below to pass an appropriate order in accordance with law.

S.Ali/-

(Anjana Prakash, J)

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