

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.667 of 2013

=====

Pramod Kumar Sharma, Son of Late Kishori Sharma, resident of Puraniganj, P.S. Kasim Bazar, District – Munger, present address – Jamalpur, Janta Moar, gali, of Bangali School, P.S. Jamalpur, District Muzaffarpur

.... Appellant/s

Versus

Sunita Kumari @ Guriya wife of Pramod Kumar Sharma, resident of Mohalla – Puraniganj, P.S. Kasim Bazar, District Msunger. At present Village – Chhoti Keshopur, Nakki Nagar, P.S. Jamalpur, District - Munger

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. T. N. Maitin, Sr. Advocate
Mr. Rajeev Kumar Sinha, Advocate

For the Respondent/s : None

=====

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

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

Date: 06-07-2015

Heard learned counsel for the appellant.

2. Appellant is the husband. He has filed this appeal assailing the impugned judgment dated 20.08.2013 passed by Principal Judge, Family Court, Munger in New Case No. Mat – 1060 of 2013/ Old Case No. T.S. (Mat) 70 of 2010 whereunder request of the husband to dissolve his marriage with respondent-wife has been refused after taking into account the evidence adduced by the parties i.e. P.Ws. 1 and 2 on behalf of the appellant and respondent-wife, who was also put few questions by the appellant, which are quoted in paragraph 11, page 5 of the impugned judgment.

3. From the question and answer, it appears that appellant

is suffering from phobia that his wife may poison him as earlier she has attempted to poison his mother, which fact is not even mentioned in the petition. The other ground taken in support of the appeal that wife was cruel to husband as she refused to cohabit also does not appear to be true from the answer to question no.1. It also appears from the evidence that wife was subjected to abortion because of the assault made by the husband.

4. In the circumstances, I do not find any merit in the appeal, which is dismissed.

(V.N. Sinha, J.)

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--