

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8818 of 2014

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Sheo Shankar Choudhary son of Ram Naresh Choudhary, resident of Mohalla Patel Nagar, Chas, post office and Police Station Chas, District Bokaro.

.... Petitioner/s

Versus

Smt. Priti Singh son of Udai Pratap Singh 28 Montessori School Lane, Boring Road, Police Station Shrikrishnapuri, District Patna presently residing at her work place at 4th floor B-wing Trade star Building, Andheri KRDMV Road E Mumbai, Maharashtra - 400059.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Verma

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 27-08-2015 Heard the learned counsel for the petitioner. The learned counsel for the other side is also present.

After some argument, the learned counsel for the petitioner has submitted that, in fact, the respondent has obtained the impugned order for grant of interim maintenance under Section 24 of the Hindu Marriage Act by temporarily incapacitating herself in leaving the employment which she later on rejoined. It has been further pointed out by the learned counsel for the petitioner that a petition has been filed by the petitioner bringing to the notice of the learned court below the aforesaid fact that the respondent has obtained re-employment and on that basis

the prayer has been made for recall of the earlier order granting ad interim maintenance.

The learned counsel for the respondent has submitted that the writ petitioner has filed a petition for withdrawing the matrimonial case no. 831 of 2010 and the said petition is pending.

In view of the facts and submissions and particularly in view of the fact that, according to the submission on behalf of the petitioner, the petition has already been filed for recall/vary or modification of the order dated 17.02.2014, this Court is not persuaded to interfere in the impugned order. However, it is observed that if such a petition has been filed, the learned court below shall dispose it of in accordance with law expeditiously.

The writ application is, accordingly, dismissed with the aforesaid observation.

(V. Nath, J)

Devendra/-

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