

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.57 of 2013

Arising Out of PS.Case No. -5 Year- 2010 Thana -null District- AURANGABAD

=====

1. Mansoor Alam S/O Late Ramjani Resident Of Mohalla Nawadih Road, P.O.,
P.S. & District Aurangabad.

.... Petitioner/s

Versus

1. Md. Azmat @ Kalim S/O Md. Shamsuddin
2. Md. Shamsuddin S/O Late Md. Habib
3. Jamila Khatoon W/O Md. Shamsuddin (now dead), all Resident Of Village Piru
Bigha, Police Station Chandauti Chakan, District Gaya.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sajid Salim, Advocate

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 24-03-2015

The admitted position is that Opposite Parties could not appear for unforeseen circumstances before the order dated 14.9.2012 was passed by the Principal Judge, Family Court, Aurangabad in Miscellaneous Petition No.05 of 2010, by which he had rejected an application of the Petitioner to direct the Opposite Parties to return the articles he had given to them at the time of marriage of his daughter.

The Petitioner submits that the Court below refused such a prayer because the list of articles which had been exhibited as Exhibit 2 were entered in a haphazard manner. The further reason was that the value of the goods was not quantified.

It appears that as a general practice this is the kind of

document, that is usually given in Muslim marriages and, therefore, the Court below should not have rejected such a prayer of the Petitioner. Moreover, it would be in the interest of justice that the Court below summons both the parties and quantifies the value of the articles and directs private Opposite Parties to return the same to the Petitioner within a period of four months from the date of receipt of this order.

With these observations, the application stands disposed of.

(Anjana Prakash, J)

Narendra/-

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