

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 222 of 2015

- Sukhdev S/O Devisingh Gond, Aged About 41 years R/O Village Kumhari Post Sighanpuri, Thana & Tahsil Basna, Civil & Revenue Distt. Mahasamund (C.G.)

---- Petitioner

Versus

- Smt. Nirmala W/O Sukhdev Gond, Aged About 31 Years R/O Village Kokadi, Post – Patsendari, Thana & Tahsil Saraypali, Distt. Mahasamund At Present Residence Of Village Chhibarra, Post Toresinha, Thana & Tahsil Saraypali, Civil & Revenue Distt. Mahasamund (C.G.)

---- Respondent

For Petitioner : Shri Sunil Sahu, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/03/2015

1. This writ petition is preferred seeking a direction to the Family Court, Mahasamund for early decision on the petitioner's application under Section 127 of CrPC which the petitioner has preferred for releasing him from confinement and staying the earlier order of maintenance granted in favour of the respondent.
2. In the application Annexure P/1 there is no prayer for alteration or recalling the earlier order of maintenance. In the opinion of this Court, the application is not properly framed.
3. At this stage, learned counsel for the petitioner seeks permission of the Court to withdraw this writ petition with liberty to move a better application before the Family Court, Mahasamund under Section 127 of CrPC.
4. Accordingly, the writ petition is dismissed as withdrawn with the liberty aforesaid.

JUDGE