

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3181 of 2012

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1. SANJAY KUMAR S/O LATE SATYANARAYAN PRASAD R/O NADRAGANJ
(RAM SAGAR ROAD), P.S.- CIVIL LINES, DISTRICT- GAYA

.... PETITIONER/S

VERSUS

1. THE STATE OF BIHAR THROUGH REGISTRAR, FAMILY COURT, GAYA
2. MANISHA KUMARI @ ANITA KUMARI W/O SANJAY KUMAR AT PRESENT
RESIDING AT CHOWK SARAI ROAD, P.S.- KOTWALI, DISTRICT- GAYA
3. SECRETARY, LAW DEPARTMENT, BIHAR, PATNA

.... RESPONDENT/S

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Appearance :

For the Petitioner/s : Mr. Manish Kumar-Advocate
For the State : Mr. Shyam Kishor Sharma-GA-3
For the R.No.2 : Mr. Dudheshwar Singh-Advocate

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 25-04-2016

Heard learned counsel for the petitioner as well as
learned AC to GA-1.

Gone through the order impugned.

It is needless to say that parties are spouses.
Petitioner, who happens to be husband had filed instant suit for
divorce in the year 2005. Against an interlocutory matter at an
earlier occasion, M.A. No.383 of 2006 was preferred before this
Court and the same was disposed of vide order dated 16.11.2009
directing the learned lower court to dispose of the same within six
months on an undertaking given by respective parties.

From the order impugned, it is also evident that
interim maintenance which had accumulated on account of non-
payment to a tune of Rs.1,62,000/- was also not honoured at the

end of the petitioner. Furthermore, it is also evident that petitioner failed to stick over his undertaking in getting the petition disposed of within six months by way of producing witnesses though, the order suggest examination of altogether five witnesses at his end. However, petitioner evaded his presence in the background of arrear of interim maintenance. Still, petitioner is not ready to deposit the up-to-date arrear.

In the aforesaid background as well as considering the conduct of the petitioner, instant petition lacks merit and is accordingly, rejected.

(Aditya Kumar Trivedi, J)

Vikash/-

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