

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5082 of 2016

Sanjay Chaudhary

.... Petitioner/s

Versus

Gina Devi

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

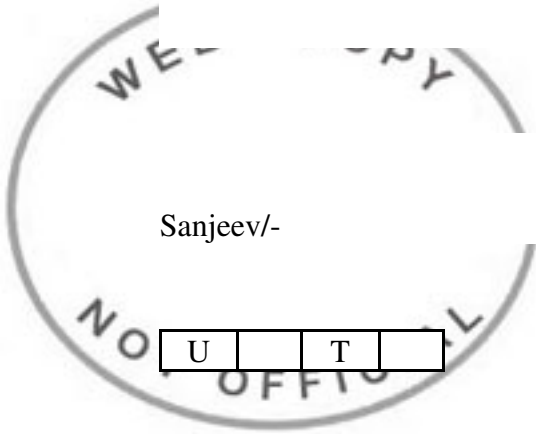
2 20-07-2016 Heard the learned counsel, Mr. Ratanakar Jha, for the petitioner.

This writ application has been filed under Article 226 of the Constitution of India praying for quashing the maintenance Case No.133 of 2014, Maintenance Case, i.e., Divorce Case No.377 of 2014.

It may be mentioned here that the proceeding is between private party and the Hon'ble Supreme Court in the case of *Shalini Shyam Shetty vs. Rajendra Shankar Patil. (2010) 8 SCC 329* has held that **'in cases of private dispute, no writ can be issued under Article 226 of the Constitution of India.'** In **(2015) 5 SCC 423 Radhey Shyam Vs. Chavi Nath**, the Hon'ble Supreme Court has held that **'the Civil Court are not amenable to writ jurisdiction.'**

Therefore, this application filed under Article 226 of the

Constitution of India is misconceived application and is not maintainable and accordingly, it is dismissed.



(Mungeshwar Sahoo, J)

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