

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.270 of 2017**

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Shri Motilal Sinha Kanan

.... Petitioner

Versus

Smt. Shalini Kumari

.... Respondent

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Appearance :

For the Petitioner : Mr. Navendu Kumar

For the Respondent : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO**

ORAL ORDER

2 16-02-2017

Heard learned counsel for the petitioner.

It appears that the prayer has been made under Article 227 of the Constitution of India by the petitioner directly to the High Court for stay of further proceeding in Maintenance Case No.155 of 2015 on the ground that Sessions Trial No.540 of 2013 is pending for trial.

It may be mentioned here that maintenance case has been filed under the Hindu Adoption and Maintenance Act whereas so far sessions trial is concerned, it relates to the commission of offence by the respondent.

The High Court never exercises original jurisdiction under Article 227 of the Constitution of India. The application directly filed by the petitioner before this Court for the relief



claimed in this application, therefore, is not maintainable.

Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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