

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CIVIL MISCELLANEOUS JURISDICTION No.1584 of 2016**

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Dinesh Kumar

.... .... Appellant/s

Versus

Pooja Kumari

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Arvind Kumar Pandey

For the Respondent/s : Mr.

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

**ORAL ORDER**

2      09-01-2017      The learned counsel for the petitioner submitted that

by the impugned order dated 14.09.2016, the Divorce Case No. 129 of 2016 has been rejected on the ground that the petitioner may file the divorce case before the competent court. Therefore, according to the learned counsel for the petitioner, the impugned order is final order whereby, the divorce case has been disposed of. Therefore, Appeal under Section 19 of the Family Court Acts 1984 is maintainable. However, by mistake he has filed this Civil Miscellaneous Application and accordingly, he seeks to convert this Civil Miscellaneous Application to Miscellaneous Appeal.

In view of the submission of the learned counsel for the petitioner, the petitioner is permitted to convert this Civil Miscellaneous Application to Miscellaneous Appeal within three weeks.

**(Mungeshwar Sahoo, J)**

ajaypd./-

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