

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (DB) No.433 of 1992

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

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Om Prakash Tiwari, son of Pashupati Tiwari, resident of Village-Rohuan, P.S.-
Bansdih Road, District-Balia(Uttar Pradesh)

.... Appellant/s

Versus

1. The State of Bihar
2. Smt. Nisha, daughter of Sri Sachidanand Mishra, resident of Village-
Bengali Tola, P.S.-Jakanpur, District-Patna

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 16-09-2017

This is an appeal which was filed in the year 1992 under Section 19 of the Family Court's Act, 1984, challenging the order passed by learned Principal Judge, Family Court, Patna in Maintenance Case No. 1205(M) of 1991, awarding a maintenance of Rs. 500/- per month against the appellant to be paid to his wife, respondent No. 2.

It was the case of the appellant that maintenance has been awarded without hearing him and an ex-parte order has been passed.

We find that the award was passed in the year 1992



and while admitting the appeal, there is specific order rejecting the stay granted.

That being so, now when none is appearing for the parties, it seems that this appeal has outlived its utility, it is rendered infructuous with the passage of time as it only pertains to grant of Rs. 500/- as maintenance.

Keeping in view the aforesaid, we see no reason to keep the appeal pending, it is accordingly dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20/09/2017
Transmission Date	NA

