

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.698 of 2016

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1. Sanjay Kumar, son of Late Yadu Nandan Prasad, resident of Parbalpur,
P.S. Parbalpur District- Nalanda.

.... Petitioner/s

Versus

1. Mamta Devi, Wife of Sanjay Kumar, resident of Village Parwalpur, P.S.
Parwalpur, District- Nalanda at present residing at Late Krishna Prasad
Saida Bazar, Hilsa District- Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 02-02-2017

None appears on behalf of petitioner.

The matter has been listed with certain defects pointed out by the Registry. However, considering the nature of dispute, ignoring the defects as pointed out by the Registry, this application is being disposed of by the present order on merits on examination of materials available on record.

The order dated 16.05.2016 passed in Misc. case no. 35 of 2015 by Principal Judge, Nalanda at Bihar Sharif is under challenge in the present criminal revision application, by which the learned Principal Judge has restored maintenance case no. 77M of 2015 to its original file which was earlier dismissed for default by the Court.



I have perused the impugned orders dated 16.05.2016 and 21.07.2015 from which, it transpires that application of opposite party no.2 being maintenance case no. 77M of 2015 was dismissed for non-appearance on 21.07.2015. The petitioner thereafter, filed an application for restoration explaining the reasons for her absence on that which, upon consideration of facts, which had prevented the petitioner from appearing on 21.07.2015, has been allowed by the impugned order dated 16.05.2016. The said order, in my view, does not suffer from any illegality. As such, this matter does not require interference in revisional jurisdiction.

This application has no merit and is accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

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