

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.582 of 2017

Madhu Devi @ Madhu Kumari Wife of Sri Rana Saroj Kumar Singh @ Mantu Singh Presently residing at C/o Vijay Singh Mohalla- Gayatri Nagar, By Pass Chowk, Aurangabad, Ward no.-1, P.O.-Aurangabad, P.S.-Aurangabad and District-Aurangabad.

... .. Appellant/s

Versus

Rana Saroj Kumar @ Mantu Singh Son of Sri Ranvijay Singh Resident of Mohalla-Shastrinagar (Ahari), Ward no.-20, Aurangabad, P.O.+P.S.+ District-Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anirudh Kumar Verma
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2017 Heard learned counsel for the parties.

By the impugned order, dated 17.01.2017, passed in Matrimonial Case No. 20 of 2011, learned Principal Judge, Family Court, Aurangabad has rejected an application for exhibiting documents relating to compromise/Agreement made outside the Court between the parties.

From the impugned order, I find that after closure of evidence when the argument was going on in the said matrimonial case, the petitioner, who is respondent before the Court below, filed an application for exhibiting the said document.

It transpires from the impugned order that evidence of the



Respondent/petitioner was closed on 22.04.2015 and the evidence of the petitioner/Respondent was closed on 22.06.2016 on her request. The Court below, on perusal of the document sought to be adduced rejected the prayer with an observation that it was made only to delay conclusion of the trial.

Learned counsel appearing on behalf of the petitioner has relied on a decision of this Court reported in **2016(4) PLJR 951 (Md. Nuruddin Vs. Md. Abbas)** to submit that for the ends of justice at any stage document can be exhibited even if in course of argument by invoking Section 151 of the Code of Civil Procedure, 1908.

However, considering the nature of dispute involved in the present case and the stage, the trial before the Court below had already reached, the order impugned cannot be treated to be unjustified or illegal.

There is no merit in this application and this application, is accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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