

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL MISCELLANEOUS JURISDICTION No. 1871 of 2017

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Arbind Kumar Patel, Son of Mr. Durga Prasad Singh, resident of Village-
Bhagwatipur, P.S. Chainpur, District- Kaimur (Bhabua).

.... Petitioner

Versus

Chanchal Kumari, daughter of Mr. Rajvansh Singh, resident of Village-
Akhlaspur, P.S. Bhabua, District- Kaimur (Bhabua).

2. Sanjay Singh, Son of Sidhanath Singh, resident of Village -Nasej, P.S. Kudra,
District- Kaimur (Bhabua).

.... Respondents

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Adv.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 19-12-2017

Heard both sides.

2. The petitioner has filed this petition, under Article 227 of the Constitution of India, against the order, dated 07.08.2017, passed by the learned Principal Judge, Family Court, Bhabua, in Matrimonial Case No. 75 of 2007, by which he had dismissed the petition of the petitioner for examination of DNA test on the ground that the petitioner has not complied the order of the High Court passed on 29.03.2016, in C.W.J.C. No. 5784 of 2015.

3. Learned Counsel for the petitioner submits that



the order passed by this Court, on 29.03.2016, has been partially complied with.

4. It appears from the order of this Court, dated 29.03.2016, passed in C.W.J.C. No. 5784 of 2015, that this Court has directed the learned Principal Judge, Family Court, Bhabua to see that first the maintenance and the litigation cost is paid by the petitioner and then only the Court shall proceed further with the matter. The learned Principal Judge, Family Court, Bhabua has stated in his order that the petitioner has not complied with the aforesaid order. Therefore, in the supervisory jurisdictions, I do not feel inclined to interfere in the aforesaid order, particularly in view of the fact that the petitioner did not comply the order for payment of maintenance and litigation cost.

5. This civil miscellaneous application is, accordingly, dismissed.

(Prabhat Kumar Jha, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21/12/2017
Transmission Date	N.A

