

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16363 of 2013

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Kumar Chandrajeet @ Chandan Kumar Son Of Sri Ram Sagar Singh Resident Of
Ward No.21 Village - Post Chintaman Chak, P.S. Mokama, District - Patna

.... Petitioner

Versus

Bibha Kuamri Daughter Of Sri J.P. Singh Resident Of Village - Post Barhiya P.S.
Barahiya, District - Lakhisarai

.... Respondent

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Appearance :

For the Petitioner/s : Mr. MANOJ KUMAR PANDEY

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 06-02-2017

Heard the learned counsel for the petitioner.

The petitioner is the husband who has filed the
matrimonial case in the court below seeking divorce from his wife
who is respondent here.

By the impugned order, the learned court below
has passed the direction under Section 24 of the Hindu Marriage Act
for payment of maintenance of amount of Rs.6,000/- per month
pending the litigation as well as lumpsum amount of Rs. 10,000/-by
way of litigation cost. The further direction has been that the amount
of maintenance shall be paid by the petitioner to the opposite party by
15th of every succeeding month.

During the course of submission, learned



counsel for the petitioner has been fair enough to accept that the order and direction by the court below in the impugned order has not been fully complied. However, the learned counsel has also tried to wriggle out by submitting that some amount has been paid by the petitioner to the respondent. It has been further canvassed on behalf of the petitioner that there is chance of settlement of dispute between the parties and therefore the notice be issued to the respondent.

After considering the submissions and the facts and circumstances of the case, this Court is not inclined to interfere in the impugned order.

The application is, accordingly, dismissed.

The petitioner however shall be at liberty to approach the learned court below itself, if there is chance of settlement of dispute between the parties with appropriate prayer.

(V. Nath, J)

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