

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.140 of 2016

Dr. Manoj Kumar Verma

... .. Appellant/s

Versus

Sujata Kumari

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shri Prakash Tiwari
For the Respondent/s : Mr.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

2 16-02-2018 This appeal has been preferred against the order dated 12.01.2016 passed by the Additional Principal Judge, Family Court, Patna in Maintenance Case no. 156(M) of 2013.

It appears from the impugned judgment that the maintenance case was filed under Section 125 Cr.P.C.

The office has raised an objection that this appeal would not be maintainable as there is no provision of appeal against such orders in the Family Courts Act as Section 19(2) of the Act completely bars that.

This issue is no longer reg integra having been considered and decided by a Division Bench of this Court rendered in 2008(4) PLJR 817 (Raj Kumar Sah Vs. The State of Bihar and another), Criminal Revision under Section 19(4) of the Family



Courts Act, 1984 would be maintainable.

Accordingly, this appeal is held to be not maintainable.

However, the appellant, if so desires, would be at liberty to convert this appeal into Criminal Revision under Section 19(4) of the Family Courts Act, 1984 within a period of two weeks.

(Dr. Ravi Ranjan, J)

(Prakash Chandra Jaiswal, J)

rohit/-

U			
---	--	--	--

