

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.529 of 2015

Arising Out of PS. Case No.-16 Year-2001 Thana- BARUN District- Aurangabad

Raju Kumar Son of Shree Ghura Yadav, resident of village -Mauyar Khaira,
P.S. - Baroon, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Gudiya Devi, W/o Raju Kumar, resident of village -Mauyar Khaira, P.S. - Baroon, District - Aurangabad (Bihar), At present Kurmah tole Fulchand Bigha, P.S. -Jamhor District - Aurangabad(Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar Singh
For the Respondent/s	:	Mr. B.N.Panday(App)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 31-07-2018 The petitioner has challenged the final order, dated 27.04.2015 passed by the learned Principal Judge, Family Court, Aurangabad in Maintenance Case No. 26 of 2011 whereby he has been asked to pay to his wife / Opposite Party No. 2, an amount of Rs. 5,000/- (five thousand) per month towards her maintenance.

Mr. Birendra Kumar Singh, learned advocate for the petitioner submits that pursuant to the mediation and counseling by friends and well wishers, the matrimonial dispute between the spouses has been resolved and the Opposite Party No. 2 is now residing with the petitioner as his legally wedded wife.

The petitioner is present in Court, who has been identified by Mr. Birendera Kumar Singh, learned



advocate. He has submitted that his wife has been staying with him in his village home for more than a year, by now. She has no complaint against the petitioner.

Mr. Bachhan Jee Ojha, learned advocate, who has appeared on behalf of Opposite Party No. 2, does not controvert the aforesaid statement.

It has therefore been submitted on behalf of the parties that with the dispute between the spouses having been resolved, there is no justification in allowing the order dated 27.04.2015 to remain on record.

For the aforesaid fact, the order dated 27.04.2015, passed by the learned Principal Judge, Family Court, Aurangabad in Maintenance Case No. 26 of 2011 is set aside as the same is not necessary.

In case, the Opposite Party No. 2 is not kept properly or is troubled on any count, it will be open to her to approach this Court for recall of the aforesaid order.

The petition is thus disposed off.

(Ashutosh Kumar, J)

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