

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 99 of 2015

- Sujan Mandal S/o Anil Mandal Aged About 30 Years R/o Village P.V. No. 111, Irpanar, Thana Bande, Tahsil Pakhanjore, Distt. U.B. Kanker Applicant, Chhattisgarh

---- Appellant

Versus

- Smt. Nupur @ Payal Mandal W/o Sujan Mandal Aged About 25 Years R/o Village P. V. No. 5, Thana And Tahsil Pakhanjore, Distt. U. B. Kanker Non-Applicant, Chhattisgarh

----Respondent

For Appellant	:	Shri Shalvik Tiwari, Advocate
For Respondent	:	Shri PK Tulsyan, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Judgment on Board

20.04.2018

1) Challenge in this appeal is levied to the order dated 17.07.2015 of the Additional District Judge, Bhanupratappur, district Kanker in Civil Suit- 16A of 2014 whereby and whereunder the trial Court ordered the appellant that he shall pay Rs.7,000/- per month, on account of maintenance of the respondent, her minor children, medical and travelling expenses.

2) The appellant had filed an application under Section 13 of the Hindu Marriage Act, 1955 (hereafter, 'the Act, 1955') for dissolution of marriage solemnized between him and the respondent, inter *alia*

the respondent had filed an application under Section 24 of the Act, 1955.

3) As per the provisions of Section 28(2) of the Act, 1955, interim order passed under Section 25 or 26 is not appealable. Looking to the provisions of Section 28(2) of the Act, 1955, it is very clear that no appeal shall lie against the order passed under Section 24 of the Act, 1955.

4) Looking to the above mentioned facts and circumstances of the case, this Court finds that the appeal filed by the appellant is devoid of merit and deserves to be and is hereby dismissed *in limine*.

Sd/-

(Sharad Kumar Gupta)
Judge