

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.631 of 2018

Madhav Krishna Dubey

... .. Appellant/s

Versus

Suman Dubey

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dewendra Narayan Singh

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

4 14-08-2019 The present miscellaneous appeal has been filed against the order dated 26.05.2017 passed in Divorce Case No. 438 of 2014 by the learned Principal Judge, Family Court, Saran, whereby the issue of maintenance pendente lite and expenses of litigation has been decided under Section 24 of the Hindu Marriage Act, 1955.

Since the impugned order is interlocutory one, as prayed for, the learned counsel for the appellant is permitted to



convert the present Miscellaneous Appeal into Civil Miscellaneous application under Article 227 of the Constitution of India in view of the ratio laid down by the Full Bench of this Court in *Civil Revision No.346 of 2010 (Neelam Kumari Sinha Vs. Prashant Kumar)* reported in 2010(3) PLJR 632 by 26th of August, 2019, failing which the memo of appeal shall stand rejected without further reference to the bench.

On conversion, the Miscellaneous Appeal shall stand disposed of.

(Dinesh Kumar Singh, J)

(Arvind Srivastava, J)

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