

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.123 of 2018

Jay Prakash Dubey

... .. Appellant/s

Versus

Smt. Vineeta Kumari

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Prasad 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 preferred against the order dated 07.12.2017 passed in Matrimonial Suit No. 35 of 2015 by the learned Principal Judge, Family Court, Araria, 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, hence, as prayed for, the learned counsel for the appellant is permitted



to convert the present Miscellaneous Appeal in Civil Miscellaneous application under Article 227 of the Constitution of India in view of the ratio laid down by a Full Bench judgment of this Court passed 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 present Miscellaneous Appeal shall stand disposed of.

(Dinesh Kumar Singh, J)

(Arvind Srivastava, J)

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