

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.327 of 2019

Ram Balak Shah

... .. Appellant/s

Versus

Savita Devi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumar Dharendra Pratap 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)

2 27-08-2019 The present Miscellaneous Appeal has been preferred for setting aside the order 02.04.2019, passed by the learned Principal Judge, Family Court, Sitamarhi in Maintenance Case No. 30 of 2018, whereby the appellant has been directed to make payment of interim maintenance of Rs. 5,000/- per month under section 125 of the Code of Criminal Procedure to the respondent.

As prayed for, in view of the ratio laid down in the case of *Md. Akil Ahmad Vs. The State of Bihar and Anr*, reported in **2016(4) PLJR 968**, 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 by 5th September, 2019, failing which this



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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