

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3438 of 2016

In
Civil Writ Jurisdiction Case No.13345 of 2014

Arbind Kumar Sinha S/o Late Vishwanath Prasad, resident of village-Alawalpur, P.S.- Punpun, District- Patna, presently residing at Ashray Mahesh Apartment, Flat No. 31, Boring Road, Patna.

... .. Petitioner/s

Versus

1. Sadhna Sinha D/o Late Nagendra Prasad Sinha, resident of village-Alawalpur, P.S.- Punpun, District- Patna, W/o Ravi Kumar Sinha @ Tuntun Prasad Sinha, S/o Late Jwala Prasad.
2. Situ Kumar @ Ravi Kumar Sinha S/o Sadhna Sinha and Ravi Kumar Sinha @ Tuntun Prasad Sinha. Both residents of Chhoti Bazar, Mogalpura, Patna City, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 28-08-2019 The present petition has been filed for restoration of CWJC No. 13345 of 2014, which according to the learned counsel for the petitioner has stood dismissed on account of non-prosecution by an order dated 19.9.2016.

At this juncture, it would be appropriate to reproduce hereinbelow the order dated 19.9.2016 passed in CWJC No. 13345 of 2014:-

“The present application has been filed against the impugned order dated 20.05.2014 whereby the learned Principal Judge, Family Court, Patna has rejected the petition for recall of the earlier order dated 10.05.2013.

It appears from the averments made in the petition that the respondents have been allowed



interim maintenance under the provisions of the Hindu Marriage Act.

After perusal of the impugned order, this Court does not find that any illegality or material irregularity in passing the impugned order has been committed by the learned court below.

The application is, accordingly, dismissed.”

From a bare perusal of the aforesaid order dated 19.9.2016, it is apparent that the writ petition has been dismissed on merits, hence, the present restoration petition is not maintainable.

Accordingly, the restoration petition stands dismissed.

(Mohit Kumar Shah, J)

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