

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.390 of 2017

Brajesh Kumar

... .. Appellant/s

Versus

Pinki Devi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Mishra
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

4 09-05-2019 Office note dated 08.05.2019 appears to be
misconceived.

Office to be careful in future.

It appears that Matrimonial Case No. 863 of 2013 was preferred by the appellant under Section 24 of the Special Marriage Act, 1954 for declaring the marriage between the appellant and the respondent as null and void. In the said appeal, an application under Section 36 of the Special Marriage Act, 1954 was preferred for grant of alimony pendente lite, hence in view of the ratio laid down in the case of **Neelam Kumari Sinha Vs. Shree Prashant Kuma** (C.R. No. 346 of 2010), reported in **AIR 2010 Patna 184**, learned counsel for the appellant is permitted to convert the present appeal into a Civil



Miscellaneous Application under Article 227 of the Constitution
of India within a period of one week after annual vacation.

(Dinesh Kumar Singh, J)

(Prabhat Kumar Singh, J)

Amrendra/-

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