

**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

WRIT APPEAL No. 234 OF 2020

JUDGMENT: (Per the Hon'ble the Chief Justice Raghvendra Singh Chauhan)

The appellant has challenged the legality of the order, dated 03.07.2020, passed by a learned Single Judge in W.P. No. 9487 of 2020, whereby the learned Single Judge has dismissed the writ petition *inter alia* on the ground that the petitioner does have an alternate remedy, and since the dispute is purely of private nature, and is based on orders passed by this Court in F.C.A. No. 168 of 2010, dated 19.07.2020, the petitioner, according to the learned Single Judge, should have availed civil law remedy.

The learned counsel for the appellant submits that since the respondent No. 4, the appellant's husband, is due to retire shortly, he is likely to receive all the retiral benefits. In case, he were to receive the complete retiral benefits, the appellant would be deprived of maintenance to which she is entitled to. Therefore, according to the learned counsel, the impugned order deserves to be set aside by this Court.

Heard the learned counsel, and perused the impugned order.

Since the appellant claims that she is entitled to maintenance on the basis of an order passed by this Court, obviously, the appellant has sufficient civil remedies available to her. Therefore, this Court does not find any illegality, or perversity in the order passed by the learned Single Judge.

For the reasons stated above, this Court does not find any merit in the present appeal. It is, hereby, dismissed at the admission stage. No order as to costs.

Pending Miscellaneous Petitions, if any, stand closed.

(RAGHVENDRA SINGH CHAUHAN, CJ)

(B. VIJAYSEN REDDY, J)

July 27, 2020

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**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**



WRIT APPEAL No. 234 OF 2020

27.07.2020