

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.196 of 2022**

Pramod Kumar Choudhary

... .. Petitioner/s

Versus

Jyoti Kumari

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 30-06-2022 Heard learned Counsel for the petitioner.

By the impugned order, dated 18.02.2022, passed in Misc. Case No. 158 of 2019, the learned Principal Judge, (Family Court, Banka, on the petition filed by the petitioner, has recalled the order, dated 11.01.2022, and has allowed the petitioner-opposite party to file written statement on payment of Rs. 2,000/-.

Learned Counsel for the petitioner submits that the petitioner is the husband and the respondent-wife left her matrimonial home, for which petitioner has filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights, but the respondent is not taking any steps and she is not appearing in the case. He further submits that suddenly she has filed a case for maintenance under Section 125 of the Code of Criminal Procedure.



Be that as it may, it appears that on an application filed by petitioner for recall of the order, dated 11.01.2022, the same has been allowed and the petitioner-opposite party has been directed to file written statement on payment of Rs. 2,000/-.

I do not find any illegality and/or infirmity in the order impugned.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

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