

IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.325 of 2008

Dukhishyam Pujari

Appellant

Mr.A.P. Bose, Advocate

-versus-

Smt. Pranaballavi Beg @ Pujari

Respondent

Mr.S.K. Mohanty, Advocate

CORAM:

MR. JUSTICE D.DASH

ORDER

04.01.2022

Order No.

07. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Learned counsel for the Appellant prays for grant of time to take instruction so as to pursue the Appeal further.
3. This Appeal is against the judgment and decree passed by the First Appellate Court in refusing to grant a decree of dissolution of marriage between the Appellant (husband) and Respondent (wife) directing the Appellant (husband) to pay a sum of Rs.1,500/- (Rupees one thousand five hundred) to Appellant (husband) for the maintenance and educational expenses of his daughter.

The suit being of the year, 2000; we have now entered in the year, 2022, when the Appellant (husband) is aged about 65 years whereas Respondent's (wife's) age is around 68 years. The Trial Court having refused to grant the decree of dissolution of marriage; the same has been confirmed by the First Appellate Court and the quantum of maintenance for three children of the parties as fixed by the Trial Court of Rs.3,000/-

has been reduced to Rs.1,500/- restricting the liability of payment of the same only for the daughter.

4. In the above state of affair, I am not inclined to accept the prayer of the learned Counsel for the Appellant (husband) to grant time in this Appeal of the year, 2008 which is lying on board without being admitted.

In the wake of aforesaid, the Appeal stands dismissed for non-prosecution.

However, it would be open for the Appellant to file appropriate application, as provided in law, for its consideration and disposal in accordance with law, if they are so advised in the matter.

Issue urgent certified copy as per rules.

**(D.Dash),
Judge.**

Narayan

