

IN THE HIGH COURT OF ORISSA AT CUTTACK

R.S.A. No.421 of 2017

Raja Meher

Appellant

....

Mr.S. Das, Advocate

-versus-

Jasobanti Meher

....

Respondent

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
28.06.2022**

Order No.

02. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The Appellant by filing this Appeal under section 100 of the Code of Civil Procedure (for short 'the Code') has assailed the judgment and decree passed by the learned District Judge, Sonapur in R.F.A. No.26 of 2009 whereby the Appeal filed by the present Appellant being the unsuccessful Applicant in Civil Suit No.157 of 2006 in the matter of a proceeding under sections 12 and 13 of the Hindu Marriage Act, 1955, as so nomenclatured arraigning this Respondent as the Respondent therein has been dismissed.
3. Heard learned counsel for the Appellant in the matter of admission of this Appeal.

Perused the judgment passed by the Courts below.

4. The Appellant had filed an application under sections 12 and 13 of the Hindu Marriage Act in the Court of the learned Civil Judge (Sr. Division), Sonapur seeking a declaration that there was in fact no marriage between him and the Respondent that the alleged marriage between him and the Respondent is not legal, valid and binding on him. The prayer is thereby to grant a decree of nullity. It has been prayed that in the alternative, a decree of divorce dissolving the marriage between him and the Respondent be passed.

5. Both the courts below have refused to grant the prayers as advanced by the Appellant.

6. The prayers as have been advanced in the application filed before the Trial Court banking upon the facts and circumstances narrated in the Application even on being so accepted are found to have been rightly declined.

7. Therefore, this Court finds that no such substantial question of law surfaces for being answered, meriting admission of this Appeal.

8. In the result, the Appeal stands dismissed. No order as to cost.

(D. Dash)
Judge

