

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1279 of 2018**

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Minesh Chaudhary, Son of Janardan Chaudhary, Resident of Veer Kunwar Singh Colony, Mohalla Kashipur, P.S. Town Samastipur, District-Samastipur.

... .. Petitioner/s

Versus

1. Sheweta Kumari, Wife of Minesh Chaudhary D/o-Surendra Prasad Singh, Resident of Lakhsisarai, New Bazar, Behind Kavaia, O.P. Sahjanand Sarswati, P.S. Lakhsisarai, District-Lakhsisarai.
2. Khetan @ Ballu, Minor S/o Minesh Choudhary through Mother and natural Guardian, R/o-Lakhsisarai, New Bazar, Behind Kavaia, O.P. Sahjanand Sarswati, P.S. Lakhsisarai, District-Lakhsisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-01-2023 Heard learned counsel for the parties.

This Civil Miscellaneous Application has been filed against the order dated 30.05.2018 passed by the Court of Principal Judge, Family Court, Lakhsisarai in Matrimonial Case No. 52 of 2015.

Learned counsel for the petitioner submits that the impugned order has been passed as maintenance pendente lite and expenses of proceedings to the respondents despite the fact that petitioner is an unemployed engineer and also ignoring that the respondent wife is also earning some amount from private tuition.

After some arguments, learned counsel for the



petitioner submits that this case may be disposed of with liberty to the petitioner to raise these facts before the trial court at the stage while determining the quantum of permanent alimony and maintenance under Section 25 of the Hindu Marriage Act, 1955.

In view of the submissions of the learned counsel for the petitioner, this Civil Miscellaneous Application is disposed of with liberty to the petitioner as prayed for to raise the aforesaid points before the trial court in accordance with law at the stage of determination of permanent alimony and maintenance.

(Sunil Dutta Mishra, J)

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