

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.27 of 2023

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Kumari Saumya, wife of Sumit Kumar, Daughter of Jitendra Nath Gupta,
resident of Pharia Patti Motipur Bazar, P.O.-Motipur, P.S.- Motipur Ward No.-
7, District Muzaffarpur.

... .. Petitioner

Versus

Sumit Kumar, son of Madan Lal Sahu, permanent resident of Madan Ji Ki
Nursury, Aamgola, P.O.- Aamgola, P.S.- Town, District- Muzaffarpur,
presently resides at Flat No. 313, 3rd Floor, Jinke Thimnahally Apartment,
Blue Lotus Park Varansi Road, Tic Palaya Rammurti Nagar, Bangalore Pin
Code 560036.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-10-2023 Heard learned counsel for the petitioner.

2. The petitioner is challenging the order dated
21.10.2022 passed by the learned Principal Judge, Family Court,
Muzaffarpur, by which the prayer of the petitioner for clubbing
the Maintenance Case No.95 of 2020 and Divorce Case No. 333
of 2019 has been rejected.

3. In the opinion of this case, there is no need to
interfere in the impugned order. The Principal Judge, Family
Court, Muzaffarpur, is directed to hear the Maintenance Case
No.95 of 2020 and the Divorce Case No.333 of 2019 on the
same day. Different dates in both the cases will create difficulty
for both the parties.



4. It appears that a co-ordinate Bench of this Court vide order dated 11.11.2022 passed in Civil Miscellaneous Case No. 600 of 2022 had directed the Principal Judge, Family Court, Muzaffarpur to dispose of the Divorce Case No.333 of 2019 within six months from the date of receipt/production of a copy of this order.

5. In light of the aforesaid direction, the Principal Judge, Family Court, Muzaffarpur, should have concluded the Divorce Case No.333 of 2019 by now but, it seems that he has no respect for the orders passed by this Court. A judicial officer, who does not act as per the direction of this Court should be proceeded against by this Court.

6. The Principal Judge, Family Court, Muzaffarpur is directed to act as per the order dated 11.11.2022 passed in Civil Miscellaneous No.600 of 2022 and hear the Divorce Case No.333 of 2019 as well as Maintenance Case No.95 of 2020 on day-to-day basis and dispose of both the cases within three months from the date of receipt/production of a copy of this order and thereafter file a compliance report before this Court. No unnecessary adjournments shall be granted to either of the parties and the Principal Judge will proceed *ex parte* against non-cooperating party.



7. With the aforesaid observations and directions, this application stands disposed of.

8. Let a copy of this order be communicated to the District Judge, Muzaffarpur through FAX or e-mail forthwith for its compliance.

(Sandeep Kumar, J)

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