

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.205 of 2024

Arising Out of PS. Case No.- Year-0 Thana- District- Patna

=====

Alok Kumar @ Jawahar Lal Son Of Shree Damodar Ram R/O-Kakhanaur,
P.S.-Rupauli, Distt.-Purnia

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Neetu Singh @ Neetu Prasad Singh Wife Of Alok Kumar @ Jawahar Lal D/O-Vijay Singh, R/O-L.M.V., Sector-10, Bhalua Tola, Behind Diamond Hotel, P.S.-Obera, Distt.-Son Bhadra, Uttar Pradesh. Present Address-C/O-Shashi Bhushan Prasad, Mohall-Vikas Nagar, Dighi Kala, Gate No. 54 A/C, P.S.-Haripur, Distt.-Vaishali

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma Sr. Advocate Ms.Priyanka Singh
For the Respondent/s	:	Mr.Lakshmi Kant Sharma

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-06-2024 This is an application for setting aside the order dated 31.01.2024 passed by the Principal Judge, Family Court, Vaishali at Hajipur in Maintenance Case No. 71 of 2022, rejecting the application filed by the petitioner for keeping the maintenance case in abeyance on the ground that he has filed one application under Section 9 of the Hindu Marriage Act for restitution being Restitution Case No. 548 of 2019.

2. Mr. Yogesh Chandra Verma; Learned counsel for the petitioner has submitted that the maintenance case should have been kept in abeyance as the petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights filed by



the petitioner is pending.

3. There is no law to keep the maintenance case pending at the behest of the husband only because he has filed an application for restitution of conjugal rights.

4. In view of the above, this application is dismissed.

5. The Principal Judge Family Court, Hajipur is directed to dispose of the maintenance case no. 71 of 2022 within three months of communication of this order if it has not already been disposed of.

6. The Principal Judge, Hajipur will proceed ex parte against the non-cooperating party.

7. Let a copy of this order be communicated to the Principal Judge, Family Court, Hajipur through FAX for its compliance forthwith.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

