

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.560 of 2019

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

=====

RAJEEV KUMAR @ VINOD KUMAR Son of Kongress Yadav, Resident of Village-Golakpur, P.S.-Pali, District-Jehanabad at present posted as Surgent 903210. Head Quarter, Maintenance command Air Force Nagpur.

... .. Petitioner/s

Versus

DEWANTI DEVI Daughter of Devendra Yadav, Resident of Village-Kharauna, Post Daulatpur, P.S.-Masaurhi, District-Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 06-02-2024 An application filed by the opposite party for striking out the name of the petitioner no.3, Saheb Kumar on account of his death was allowed by the trial court vide order dated 12th March, 2019 in Maintenance Case No. 36 of 2014.

2. The petitioner being the opposite party in the said maintenance case has challenged the order of striking down the names of the petitioner no.3. Upon hearing and on perusal of the impugned order, I find that the instant Revision is absolutely misconceived because of the fact that if in the name of one of the petitioner is deleted from the cause title stating that he has expired, he will not be entitled to get any maintenance. Thus, the present petitioner will have no liability as against the petitioner no.3, since deceased.



3. The petitioner has stated that the opposite party no.2 is not the legally married wife of the petitioner and deceased Saheb Kumar was not born in the wedlock between the petitioner and the opposite party. The issue shall be decided by the trial court at the time of final hearing of the case. At the stage, the issue is immature to be dealt with by this court.

4. In view of the above discussion, the instant Revision is dismissed.

(Bibek Chaudhuri, J)

Guddu/-

U		T	
---	--	---	--

