

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.441 of 2024**

Sweta Kumari, w/o Kumar Vishal and D/O Arun Kumar Mishra, at present
Resident of Village- Kharjamma Mahanar, P.S- Mahanar, District- Vaishali,

... .. Petitioner/s

Versus

Kumar Vishal, S/O Vijay Kumar Jha, Resident of Village and Post-
Madhurapur, P.S- Bidupur, Distirct- Vaishali

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Mishra, Advocate
For the Respondent/s	:	Mr. P.N. Shahi, Sr. Advocate
		Mr. Madhukar Anand, Advocate
		Mr. Aalekh Anand, Advocate
		Mr. Sourav Suman, Advocate
		Mr. Saubham Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 18-07-2024 Heard learned counsel for the petitioner as well as

learned senior counsel for the respondent.

2. After some argument, learned counsel for the
petitioner seeks permission to withdraw the present petition with
liberty to allow the petitioner to deposit cost of Rs. 3,000/- as
ordered by the learned trial court on 12.01.2024.

3. Learned senior counsel appearing on behalf of the
respondent opposes the submission made on behalf of the
petitioner. Learned senior counsel submits that the petitioner
refused to make the payment of cost of Rs. 3,000/- and this fact
has been recorded by the learned trial court in the impugned
order dated 19.03.2024. Learned senior counsel further submits
that if indulgence is shown to the petitioner in allowing liberty



to deposit the cost as directed by the learned trial court on 12.01.2024, the learned trial court may be directed to dispose of the matrimonial case pending before it within a stipulated time period since Section 21B(2) of the Hindu Marriage Act, 1955 enjoins the court to dispose of any matter pending before it within six months.

4. Having regard to the rival submission of the parties, the present civil miscellaneous petition is dismissed as withdrawn with liberty to the petitioner to deposit the cost in terms of order of the learned Principal Judge, Family Court, Vaishali dated 12.01.2024 which will pass further consequential orders. The petitioner will deposit the cost within two weeks from the date of this order. The learned Principal Judge, Family Court, Vaishali is further directed to take steps for disposal of the matter pending before it within six months from the date of receipt/production of a copy of this order.

5. With the aforesaid observation and direction, the present civil miscellaneous petition stands dismissed as withdrawn.

(Arun Kumar Jha, J)

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