

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.143 of 2016

Amrendra Kumar Mishra, Son of Ram Naresh Mishra Resident of Vilage @
Po Rasulpur PS Amnour, District Saran.

... .. Appellant

Versus

Anita Devi @ Anita Mishra Divorcee of Amrendra Kumar Mishra, D/o Sri
Shankar Nath Mishra@Nemdutt Mishra Resident of Village PO- Panditpur PS
Janta Bazar District Saran, Present Address at Mohalla- Dahiyawan tola Near
Saran Academy High School PS Chapra town, District Saran.

... .. Respondent

Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Binay Kant Mani Tripathi, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 06-12-2024 Learned counsel for the Appellant is not prepared to
address the matter and the matter is of the year 2016. On
25.10.2024, we have passed the following orders:

“None appears for the appellant.

*2. The present Miscellaneous Appeal is
pending consideration for the last about 8 years.*

*3. Prima facie, limited issue is whether
respondent is entitled to permanent alimony a sum
of Rs.4,50,000/-. There is no interim order
operating for the last about 8 years.*

*4. Learned counsel for the respondent on
instructions submitted that the Execution Petition
has been filed and it is pending consideration.*

*5. Be that as it may, appellant is hereby
directed to pay a sum of Rs.2,00,000/- to the*



respondent before the next date of hearing as an interim measure and subject to outcome of the present Miscellaneous Appeal.

6. Re-list this matter on 06.12.2024.

7. Registry is hereby directed to secure the Family Court Records of Divorce Case No.92 of 2007 from the file of the Principal Judge, Family Court, Saran at Chapra before the next date of hearing.

*8. In the meanwhile, appellant is hereby directed to file his assets and liabilities on affidavit in the light of the decision of the Hon'ble Supreme Court in the case of **Rajnesh Versus Neha and Another** reported in (2021) 2 SCC 324 read with **Aditi alias Mithi Versus Jitesh Sharma**, reported in 2023 SCC OnLine SC 1451."*

2. The aforementioned order has not been complied even to this day. Therefore, the present Miscellaneous Appeal No. 143 of 2016 stands dismissed for non-prosecution.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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