

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.547 of 2023

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

Punam Kumari Wife Of Deepak Kumar Resident Of Village- Mahman Patti,
Post Office - Tujarpur, Police Station - Begusarai, District - Begusarai

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Deepak Kumar Son Of Chandrashekhar Paswan Resident Of Village -
Bochahi, Post Office - Kalarampur, Police Station - Muffasil, District -
Munger

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Mishra, Adv.
For the State	:	Mr. Ajit Kumar, Adv.
For private O.P.	:	Mr. Tarkeshwar Prasad Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 23-04-2025 In Miscellaneous Appeal No. 273 of 2022, filed by the petitioner of the instant proceeding, challenging an order passed by the learned jurisdictional Family Court in a proceeding under Section 9 of the Hindu Marriage Act, the Division Bench of this Court vide order dated 24th February, 2025 took into consideration pending maintenance case and made an observation that the parties failed to file affidavits of assets and liabilities in the prescribed format as mentioned in the case of ***Rajnesh Vrs. Neha And Another, reported in (2021) 2 SCC 324***

2. Since, the Maintenance Case No. 51 of 2022 was disposed of without considering the affidavits of assets and



liabilities, required to be filed by both the parties in the prescribed format, mentioned in the case of *Rajnesh (supra)*, the impugned order cannot be sustained.

3. Therefore, this Court sets aside the impugned order dated 15th May, 2023, passed in Maintenance Case No. 51 of 2022, directing the learned trial judge to dispose of the application afresh after giving opportunity to the parties to file affidavits of assets and liabilities in terms of the prescribed format in *Rajnesh (supra)*.

4. Entire exercise shall be done within three months from the date of communication of this order.

5. The instant criminal revision is thus disposed of.

(Bibek Chaudhuri, J)

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