

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.587 of 2024

Seema Kumari Paswan W/o Late Ram Chander Paswan Resident of Village-
Nawada, Chandneya, P.O.- Madhepur, P.S.- Madhepur, District- Madhubani,
Present address- Nanaksar, Dhudianwala, Kapurthala, Panjab- 144620.

... .. Appellant/s

Versus

1. Ashok Paswan S/o Ramjapit Paswan R/o Village- Rajwara, P.O.- Nehra,
P.S.- Manigachhi, District- Darbhanga.
2. Ram Japit Paswan, S/o Dalshan Paswan R/o Village- Rajwara, P.O.- Nehra,
P.S.- Manigachhi, District- Darbhanga.
3. Mahadev Paswan, S/o- Rameshwar Paswan R/o. Village- Nawada,
Chaudeya, P.O. and P.S.- Madhepur, District- Madhubani.
4. Chandan Kumar Paswan, S/o- Heera Lal Paswan R/o Village-
Upendharwapur, P.S.- Barnapur, District- Bardhman.

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Muskan Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI)

6 27-11-2025 The appellant is the married wife of respondent no. 1

It is the case of the appellant that her marriage with respondent
no. 1 was dissolved by local panchayat in presence of
respondent no. 2, who is the father of respondent no. 1 and
respondent no. 3 and 4 being the witness. After dissolution of
marriage by panchayat with Ashok Paswan, Seema Kumari
Paswan, appellant herein, married to one Ram Chandra Paswan.
The said Ram Chandra Paswan died while working in the Indian
Railways as a helper in the Rail Coach Factory, Kapurthala,



Punjab.

2. The appellant prayed for compensate appointment on the death of the said Ram Chandra Paswan but it was rejected by the concerned authority saying that the petitioner is not the legally-wedded wife of Ram Chandra Paswan. Then, the appellant approached the learned Principal Judge, Family Court at Madhubani in Matrimonial Case No. 231 of 2018. For declaration that the marriage between the appellant with late Ram Chandra Paswan was legally valid with further prayer for declaration that appellant is the legally wedded wife of Ram Chandra Paswan, since deceased. The said suit was dismissed on the ground that the marriage of Seema Kumari Paswan was not lawfully dissolved against Ashok Paswan in view of the provision contained under Section 5(i) of the Hindu Marriage Act.

3. The appellant has approached this Court in appeal.

4. We have heard the learned Advocate for the appellant. We have also perused the impugned order. We do not find any illegality to interfere over the said order passed by the learned Principal Judge, Family Court, Madhubani in M.M. Case No. 231 of 2018, therefore, the instant appeal is dismissed and the order passed in M.M. Case No. 231 of 2018 is affirmed.



5. Ms. Muskan Singh, learned Advocate has appeared on behalf of the appellant being appointed by the High Court Legal Services Committee. She has tried her best to admit the appeal. We appreciate her efforts that in the case coming from Legal Aid Services Committee, High Court. The learned Advocate has rendered serious service on behalf of her client/appellant.

6. The Secretary, Legal Services Committee is directed to release her professional fees as per her entitlement on submission of bill at the earliest.

(Bibek Chaudhuri, J)

(Dr. Anshuman, J)

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