

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.213 of 2026

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Amit Kumar Son of Ram Sagar Ram, Resident of Mohalla Lohia Nagar, P.S.
Lohia Nagar, District Begusarai.

... .. Appellant/s

Versus

Tanu Joshi Wife of Amit Kumar, daughter of Rajendra Ram, Resident of
Village Koriya Tola, P.S. Raxaul Sadar, District East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mrs. Mahasweta Chatterjee
Mr. Samir Kumar Sinha
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR SINGH
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SANJAY KUMAR SINGH)

2 18-03-2026 1. The instant Miscellaneous Application under Section 19(1) of the Family Court's Act 1984 has been preferred by the appellant (husband) against the order dated 19.01.2026, whereby application under Section 24 of the Hindu Marriage Act of respondent (wife) has been partly allowed.

2. On the matter being taken up, learned counsel for the appellant submits that against the aforesaid order dated 19.01.2026, appellant has wrongly preferred this Miscellaneous Appeal whereas proper remedy available to him is to file civil miscellaneous application under Article 227 of the Constitution of India, hence, the appellant does not want to press this Miscellaneous Appeal and he may be allowed to withdraw this Miscellaneous Appeal with liberty to file civil miscellaneous



application under Article 227 of the Constitution of India.

3. In view of the above, the instant Miscellaneous Appeal is dismissed as withdrawn with liberty as prayed for.

4. Office is directed to return the *Vakalatnama* and certified copy of impugned order dated 19.01.2026 to the learned counsel for the appellant within three days after retaining the xerox copy of the same on record.

(Sanjay Kumar Singh , J)

(Sourendra Pandey, J)

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