

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.451 of 2025

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Amit Kumar S/o Sambhu Nath Prasad Resident of Village- Raja Bazar, Jatni,
Police Station- Khorda, Distt.- Odisha

... .. Petitioner/s

Versus

Simran Kumari W/o Amit Kumar, D/o Rajesh Kumar R/o vill - Prasad Bigha,
Main Road, P.s.- Nawada, Distt.- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs.Kshem Sharma, Advocate
		Dr. Manoj Kumar, Advocate
For the O.P/s	:	Mr.Shankar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 20-07-2026 The present petition has been filed for setting aside the order dated 07.05.2022 passed in Maintenance Case No. 07 of 2018 whereby and whereunder the learned Principal Judge, Family Court, Nawada allowed the maintenance petition of the opposite party *ex-parte* against the petitioner and directed the petitioner to make payment of Rs.20,000/- per month to the opposite party.

02. On query, learned counsel for the petitioner submits that the petitioner has already filed an application before the learned Principal Judge, Family Court, Nawada for setting aside the maintenance order but the opposite party has not appeared in the said case, despite a number of notices. Learned counsel also submits that the opposite party has been persuing her execution case in the same Court.

03. If the petitioner has already approached the Court of learned Principal Judge, Family Court, Nawada for setting aside the *ex-parte* order, filing of a revision petition challenging



the same *ex-parte* order is misuse of process of law. Therefore, the petitioner is directed to persue his remedy before the learned Principal Judge, Family Court, Nawada.

04. Learned counsel Mr. Shankar Kumar appears on behalf of the opposite party. The opposite party is directed to join the proceeding and allow the Principal Judge, Family Court Nawada to pass orders on the application made by the petitioner for setting aside the *ex-parte* order.

05. Since it is quite an old matter and it also appears from the record that the petitioner appeared before the learned Principal Judge and thereafter discontinued his appearance, it is expected that the learned trial court would take the matter earnestly and try to dispose it of at the earliest and preferably within three months from the date of receipt/production of a copy of this order considering the small issue involved in the matter.

06. Accordingly, the present revision petition stands disposed of.

(Arun Kumar Jha, J)

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