

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.1119 of 2025

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Sudhindra Pratap Singh, Son of Sri Parshuram Singh, Resident of Village Korari- Khurd, P.O. and P.S.- Daroundha, District- Siwan- 841233.

... .. Appellant/s

Versus

Nivedita, Wife of Sudhindra Pratap Singh, Daughter of Sri Sambhu Singh, Resident of Mohalla Chitragupta Nagar, Dak Bangla Road, P.S.- Siwan Town, District- Siwan.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Mithilesh Kumar Rai, Advocate
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)

3 22-04-2026 Heard the learned counsel for appellant.

2. The instant miscellaneous appeal has been preferred by the appellant (husband) against the order dated 04.11.2025 passed by the learned Principal Judge, Family Court, Siwan, in Divorce Case No.146 of 2023, whereby the maintenance petition filed by the petitioner/appellant under Section 24 of the Hindu Marriage Act was rejected.

3. The foresaid case has been listed under the heading “For Order (On Office Notes)”.

4. On the matter being taken up, the Office has pointed out that the second copy of the brief has not been filed with the memo of appeal. Another objection regarding the



maintainability of this miscellaneous appeal has also been observed by the Office.

5. On putting a query regarding the aforesaid observations made by the Office, learned counsel for the appellant submits that the appellant may be allowed to withdraw this miscellaneous appeal with liberty to avail the appropriate remedy available to him.

6. In view of the above, the instant miscellaneous appeal is dismissed as withdrawn/not pressed with liberty as prayed for.

7. The Office is directed to return the certified copy of the impugned order dated 04.11.2025 and *vakalatnama* of the appellant 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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