



HIGH COURT OF CHHATTISGARH AT BILASPUR

FA(MAT) No. 218 of 2022

KIRTAN KUMAR SAHU *versus* SMT. KAJAL KIRAN SAHU

Order Sheet

23/03/2026	Appellant in person. Mr. Shubhank Tiwari, counsel for the respondent. Heard. The appellant/husband has preferred this appeal against the judgment & decree dated 28-9-2022 passed by the Judge, Family Court, Mahasamund in Civil Suit No.63A/2021, by which the application for restitution of conjugal rights under Section 9 of the Hindu Marriage Act, 1955 filed by the wife/respondent herein has been allowed by the Family Court, Mahasamund. It is also stated at the Bar that thereafter, the husband has preferred an application for divorce before the Family Court being Civil Suit No.22A/2023 which is pending adjudication as recorded by this Court on 19-1-2026. Since, the application for divorce filed by the husband against the wife is pending before the Family Court and it is fixed before the Family Court on 2-4-2026, in order to avoid conflicting decisions being rendered by two different Courts between the same parties, one is pending before this Court and another is pending before the Family Court, it would be expedient to wait till the

Soma	application for divorce filed by the husband is heard finally and decided by that Court. Therefore, the matter is adjourned for four weeks awaiting the judgment of the Family Court on the application for divorce filed by the husband. However, it is made clear that the Family Court will decide the application for divorce without being prejudiced by any of the observations made in the judgment & decree of the Family Court granting application under Section 9 of the Hindu Marriage Act, 1955. Sd/- (Sanjay K. Agrawal) Judge Sd/- (Sachin Singh Rajput) Judge
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