

IN THE HIGH COURT OF JHARKHAND AT RANCHI
First Appeal No. 203 of 2024

Tipu Kumar Sinduriya, aged about 28 years, son of Sri Sunil Lal Sinduriya, by faith Hindu, by profession cultivation, resident of village+ Post- Kutipisi, P.S. – Padma, District-Hazaribagh, Jharkhand

... .. Appellant

Versus

Gudia @ Renu Kumari, wife of Tipu Kumar Sinduriya, D/o Sri Jawahar Lal, aged about 26 years, by faith Hindu, by profession housewife, Resident of Village+Post- Bhurkunda (Jawahar Nagar), P.S. – Bhurkunda, District-Ramgarh / Jharkhand

... .. Respondent

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant	: Mr. Amarendra Kumar Singh, Advocate
For the Respondent	: Md. Imtiaz Khan, Advocate

Order No.10/Dated 07th September, 2026

1. The instant appeal under Section 19(1) of the Family Court Act, 1984, is directed against the judgment dated 27.06.2024 and decree signed on 08.07.2024 passed by the learned Principal Judge, Family Court, Hazaribagh in Original Suit No. 178 of 2022 whereby and whereunder, the suit filed by the appellant-husband under Section 13(1) (iii) of Hindu Marriage Act, 1955 was dismissed.
2. After some arguments, learned counsel appearing for the appellant has submitted that the suit has been dismissed on the ground of maintainability due to the rider having provided in the Section 14 (1) of the Hindu Marriage Act, 1955.
3. The rider of 14 (1) of the Hindu Marriage Act, 1955 wherein the statutory provision has been made to prefer a suit for getting the decree for dissolution for marriage only after completion of one year, but the suit has been filed just after one month from the date of marriage.
4. Learned counsel appearing for the appellant has submitted that now the period has arrived and as such, he may be granted liberty to withdraw this appeal with a liberty to file suit afresh.
5. Such submission has been made in presence of the learned counsel appearing for the respondent.

6. Accordingly, this instant appeal being F.A. No. 203 of 2024 is dismissed as withdrawn with a liberty to the appellant to file fresh suit, if the appellant so wishes.

(Sujit Narayan Prasad, J.)

(Sanjay Prasad, J.)

Date : 07.09.2026
Kamlesh/ Nishant/-