

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Revision No. 999 of 2023

Mangal Singh Murmu @ Wakil Majhi (Murmu). ...Petitioner
Versus

1. State of Jharkhand
2. Maino Murmu @ Maina MajhiOpp. Parties

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Prem Mardi, Advocate
For the State : Mr. Pankaj Kumar, A.P.P.
For the O.P.No.2 : None

Order No. 04/ dated 30.10.2023

I.A.No.9069 of 2023

Learned Counsel Mr. Prem Mardi on behalf of petitioner
and on behalf of the State, learned A.P.P. are present.

2. No one appears on behalf of the O.P.No.2 while
Vakalatnama on behalf of O.P.No.2 is already on record.

3. The instant Interlocutory Application is with the prayer to
stay the operation of the impugned order dated 29.05.2023
passed by the Principal Judge, Family Court, Chaibasa in
Original Maintenance Case No. 49 of 2022.

4. The learned Counsel for the petitioner has submitted that
the learned court-below while passing the impugned order
directing the petitioner to pay the maintenance amount to
O.P.No.2 has not given any specific finding in regard to marriage
between the petitioner and the O.P.No.2 was illegal. The
O.P.No.2 was not the legally wedded wife of the petitioner. As
such the Judgment by which the petitioner has been directed
to pay the maintenance amount is not sustainable.

5. In view of the impugned Judgment and finding recorded
by the court-below, there is sufficient ground to stay the

operation of the impugned order.

6. Accordingly, I.A.No.9069 of 2023 is hereby allowed.

7. The operation of impugned Judgment dated 29.05.2023 passed in Original Maintenance Case No. 49 of 2022 is hereby stayed.

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Admit.

2. Office is directed to call for the scanned copy of the L.C.R.

3. List on 11.12.2023.

(Subhash Chand, J.)

P.K.S