

**(2010) 04 JH CK 0076**  
**Jharkhand High Court**  
**Case No:** None

Pendyala Madhav

APPELLANT

Vs

Chandrika Tripathy

RESPONDENT

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**Date of Decision:** April 20, 2010

**Acts Referred:**

- Hindu Marriage Act, 1955 - Section 24

**Hon'ble Judges:** Dhirubhai Naranbhai Patel, J

**Bench:** Single Bench

**Final Decision:** Dismissed

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**Judgement**

D.N. Patel, J.

Learned Counsel appearing for the petitioner submitted that the petitioner is challenging an order passed by the Principal Judge, Family Court, Jamshedpur in Matrimonial Suit No. 188 of 2007 below an application preferred by the respondent-wife u/s 24 of the Hindu Marriage Act, 1955 and the order passed by the Family Court is that the petitioner has to pay the maintenance at the rate of Rs. 1,000/- per month during the pendency of the matrimonial suit. Against this order, the present petition has been preferred.

2. Having heard learned Counsel for the petitioner and looking to the facts and circumstances of the case, I see no reason to entertain this writ petition mainly for the following facts and reasons:

- (i) The petitioner has instituted Matrimonial Suit No. 188 of 2007 for the dissolution of the marriage under the Hindu Marriage Act, 1955.
- (ii) Looking to Annexure-4, it appears that the petitioner's income from business is more than Rs. 80,000/-.
- (iii) It is observed by the Family Court that the respondent is having no source of income and she is engaged in Non-Government Organization as a part time worker.

She is staying, at far away place, in the State of Orissa, which is 600 kms. away from the trial court.

(iv) Learned Counsel appearing for the petitioner submitted that the respondent is working as a Project Officer and she is getting a salary of Rs. 30,000/- per month.

(v) Looking to the amount of maintenance, which is Rs. 1,000/- per month, awarded by the Family Court, I am not inclined to interfere with the interim order passed by the Principal Judge, Family Court, Jamshedpur. Nonetheless, I hereby direct the trial court to expedite the hearing of Matrimonial Suit No. 188 of 2007 and the Family Court is directed to not grant unnecessary adjournment so as to bring to the end of the Matrimonial Suit No. 188 of 2007 on or before 30th December, 2010.

(vi) Learned Counsel appearing for the petitioner assures the cooperation before the trial court so that the Matrimonial Suit No. 188 of 2007, filed by the petitioner, can be disposed of within aforesaid time limit.

3. The petition is, hereby, disposed of as dismissed with aforesaid direction.