

IN THE HIGH COURT OF MADHYA PRADESH

PRINCIPLE SEAT AT JABALPUR

Civil Revision: /

Applicant :-

VERSUS

Non applicant :-

Civil Revision Under Section 115 the Court of Civil Procedure

Being aggrieved by the interim order passed by Hon'ble ShriJabalpur in no. on dated parties being v/s.....prefer this civil appeal on following fact and grounds .

I.1 Facts

- I.1 That the applicant has filed an application U/S 13 of Hindu marriage act before family court Jabalpur which is pending for further proceeding.
- I.2 That the non applicant has filed an interim application U/S 24 of the Hindu marriage act, before trail court Jabalpur regarding maintenance and others relief mention in the order is filed herewith as **Anxxeure – AI**
- I.3 That the applicant is the student doing no job & having zero income whereas around 1 year has been completed the parties are living separately hence applicant has filed an application to dissolve his marriage.
- I.4 That the father of the applicant is a patient of heart disease, whereas his mother is also a patient of several diseases. Copy of the report is fled herewith as annexure A2

2. Grounds

- 2.1 That the order passed by the trial court is bad in eye of law.

- 2.2 That the maintenance amount of RS 5000/- is very high and the applicant cannot afford to provide such huge maintenance amount and resulting the case is pending before trial court is not in progress.
- 2.3 That the applicant is having zero income because he is a student and his parents are patient of heart and they are old and incomes of parents are also very low.
- 2.4 That section 24 of the Hindu Marriage Act to pay the expenses of the proceeding, and monthly during the proceeding such sum as, having regard to the petitioners own income and the income of the respondent, it may seem to the trial Court to be reasonable but court below without seem the income passed the order of high maintenance which is unaffordable to the applicant.

PRAYER

It is therefore prayed that the Honble court may be pleased to quashed the order paned by leaned court in no. on dated parties beingV/s..... in the interest of justice.

Jabalpur

Date /05/2022

Om Shankar Pandey

Counsel for the applicant

IN THE HIGH COURT OF MADHYA PRADESH

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Affidavit

I, S/o Shri aged about Yrs R/o
..... MP, do hereby take oath and states as under :-

1. That I am the applicant in this case and under my instruction an application 115 of the CPC has been drafted which I have read and understood in Hindi and contents of it from paras 01 to 02 are true to my personal knowledge and belief, whereas an application of stay is also filed with this application and contents of the paras of stay application from paras 01-03 are true.
2. That I have engaged Shri Om Shankar Pandey advocate and his associated Advocates to appear and argue in this matter before this court.

DEPONENT

VERIFICATION

I, deponent do hereby verified at Jabalpur that the contents of the affidavit are true to my personal knowledge and belief.

Jabalpur
Date /12/22

Deponent

IN THE HIGH COURT OF MADHYA PRADESH

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VERSUS

Non applicant :-

Application for stay

Abovesaid applicant begs to submit as under :-

1. That the aforesaid case is pending before this hon'ble court for further proceedings.
2. That the case would takes time for disposal and the interim order of court below is in process and maintenance amount is increasing i.e. 5000/- pm and proceeding of court below is slow, hence till the pendency of the case stay on order of court below is necessary.
3. That in the interest of justice kindly allows the application and pass the stay order on order passed by court below .

Prayer

It is therefore prayed that the honble court may be pleased to pass the stay order till the pendency of the case.

Jabalpur

Date 06/05/2019

Om Shankar Pandey

Counsel for the applicant

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S.No.	Particular	Annexure	Pages
01	Copy of revision, Affidavit, list of document	Nil	01-05
02	Copy of order	A-I	06-
03	Copy of medical report	A-2	
04	Vakalatnama		

Jabalpur

Advocate

Date 06/ 05 /2019

Om Shankar Pandey

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List of document

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Jabalpur

Advocate

Date 06/ 05 /2022

Om Shankar Pandey