

the opposite party no.2 and Women Commission passed an order to evict the opposite party no.2 from the house in the name and style of 'Tulsi Nivas, Upper Bazar, Ranchi'. The opposite party no.2 filed W.P.(C) No.5594 of 2019 in this court and the operation of the said order of the Women's Commission dated 10.10.2019 has been kept in abeyance by the court. It is next submitted that the petitioner after being given the privilege of anticipatory bail abused the opposite party no.2 and threatened her over telephone that he would take her to rented house and will flee away leaving her alone in the said rented house just to frustrate the order of this court in W.P. (C) No.5594 of 2019 and to get the said house vacated. Hence, it is submitted by learned counsel for the opposite party no.2 that the opposite party no.2 is still ready and willing to resume conjugal life with the petitioner if petitioner comes and join her in their house at Tulsi Nivas, Upper Bazar, Ranchi for some days to build up confidence.

Learned counsel for the petitioner at this submits that the petitioner cannot stay away from his parents' who were living in the Ranchi town in a rented house at Pandra. It is further submitted that the petitioner is neither in a position to come to reside at Tulsi Nivas, Upper Bazar with the opposite party no.2 either alone or along with his parents.

In view of this adamant attitude of the petitioner of not resuming the conjugal life with the opposite party no.2 in the own house of the petitioner where the opposite party no.2 is staying at present namely Tulsi Nivas, Upper Bazar, this Court is of the considered view that there is no justifiable reason to modify the order dated 10.08.2021, passed in A.B.A. No. 2025 of 2021 as the said order was passed on the basis of misleading submission made by the petitioner that he is ready and willing to resume conjugal life with the opposite party no.2.

Accordingly, this petition being without any merit is dismissed.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/