



2026:CGHC:14887-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**FA(MAT) No. 348 of 2023**

- Dr. Sushma Parihar W/o Shri Dharmendra Kumar Parihar, Aged About 38 Years R/o Ayodhya Nagar, Ring Road-2, Bilaspur P.S. Civil Lines Bilaspur, Tahsil And District Bilaspur Chhattisgarh. Pin 495001.

... Appellant**versus**

- Dr. Dharmendra Kumar Parihar S/o Shri Samaru Ram Parihar, Aged About 43 Years R/o Dreem City, Baima Nagoi Road Bilaspur Tahsila And District Bilaspur Chhattisgarh Pin 495001

... Respondent*(Cause title taken from Case Information System)*

For Appellant	:	Ms. Anamika Jain, Advocate.
For Respondent	:	Ms. Neha Khandekar, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal &**Hon'ble Shri Justice Sachin Singh Rajput****Order On Board****01/04/2026**

1. Heard.
2. The appellant has preferred this appeal under Section 19(1) of the Family Court Act, 1984 challenging the order dated 30.05.2023 (Annexure-A/1) passed by the learned Principal Judge, Family Court, Bilaspur (C.G.) in Civil Suit No.338-A/2019, whereby the learned

Family Court while allowing the application filed by the respondent/husband under Section 13 (1-क) of the Hindu Marriage Act, 1955 (for short 'the Act of 1955') for grant of decree of divorce in favour of the respondent/plaintiff. However, learned Family Court did not consider the application filed by the appellant/wife under Section 25 of the Act, 1955 for grant of permanent alimony on merit.

3. Learned counsel appearing for the respondent opposes the submission made by the learned counsel for the appellant and supports the impugned order.
4. A careful perusal of the impugned order shows that the Family Court has proceeded to consider the application filed by the respondent under Section 13 (1-क) of the Act of 1955, but declined to decide the application for grant of permanent alimony on merits.
5. Having thus seen the facts and circumstances of the case, this Court is of the opinion that when the learned Family Court has granted decree of divorce in favour of the respondent/husband, it should have decided the application filed by the appellant/wife under Section 25 of the Act of 1955 for grant of permanent alimony along with the said application for divorce after making enquiry in light of the decision of the Supreme Court in the matter of **Rajesh Versus Neha and Another**, reported in **(2021) 2 SCC 324**.
6. In view of above, the instant appeal is partly allowed and the part of the order, where the issue of permanent alimony has been declined to be decided on merits is hereby set aside. At the same time, the matter is remanded back to the concerned Family Court for deciding the

application filed by the appellant/wife under Section 25 of the Act of 1955 on its own merits, expeditiously.

7. Parties shall appear before the concerned Family Court on the date to be fixed by the Court.
8. Notices be also issued to the respective parties for their appearances.

**Sd/-
(Sanjay K. Agrawal)
Judge**

**Sd/-
(Sachin Singh Rajput)
Judge**