

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.286 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- -

- =====
1. Bibi Rabiya Khatoon, W/O Abdul Badud, resident of village - Kakarwar, P.S. - Baisi, Distt. – Purnea, &
 2. Tausim Jafar, minor son of Petitioner No. 1 represented through natural guardian of Petitioner No. 1.

.... Petitioner/s

Versus

1. The State of Bihar
2. Abdul Badud, son of Sakur, resident of village- Kokarawa, P.S. - Baisi, Distt. - Araria

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Respondent/s : APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 23-03-2015

1. No one appears on behalf of the Opposite Party No.2 on repeated dates.

2. The Petitioners seek quashing of the order dated 21.11.2012 by which the Principal Judge, Family Court, Purnea, has refused maintenance in Maintenance Case No.08 of 2009.

3. Having gone through the impugned order, I find that it was for good reason that the Petitioner No.1 was refused maintenance. However, I see no justification for the Court below in refusing it to the Petitioner No.2, who is a minor son of the Opposite Party No.2.

4. Under such circumstances, the matter is remanded to the Court below to pass a fresh order with regard to Petitioner No.2

within a period of eight weeks from the date of receipt/production of a copy of this order after giving due notice to the Opposite Party No.2.

5. The application stands disposed off.

(Anjana Prakash, J)

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