

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1154 of 2012

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

Smt. Pramila Devi, wife of Sri Raj Kumar, daughter of late Ramdin Ram, r/o Mohalla-Indrapuri, P.S.-Patliputra, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Raj Kumar, son of late Jagdhari Ram, resident of village-Raipur, P.S.-Rani Ki sarai, District-Azamgarh (Uttarpradesh)

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Respondent/s : Mr. Rakesh Kumar, Advocate

APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 09-03-2015

1. The Petitioner, who is the wife of the Opposite Party No.2 seeks revision of the order dated 11.09.2012 by which the Additional Principal Judge, Family Court, Patna, has directed payment of ₹3500/- per month for her as well as her child in Maintenance Case No.27-M of 2002.

2. On the last occasion, Opposite Party No.2 was directed to file salary slip which has been filed by filing Counter Affidavit. It appears that gross salary of Opposite Party No.2 was ₹54,376/-. No doubt, his House Rent Allowance is ₹3396/- and Travelling Allowance is ₹9180/- but even after deducting this amount it would be around ₹42,000/-. In such circumstances, evidently, the figure of ₹3,500/- as maintenance is a measly amount.

3. In view of such, from henceforth the Opposite Party No.2 is directed to pay ₹8,000/- (eight thousand) per month to the Petitioner and her children for maintenance.

4. The Court below shall take all stringent steps against the Opposite Party No.2 to ensure that he deposits the entire arrear as well makes regular payment. The Opposite Party No.2 shall deposit the amount in Court.

5. The application stands allowed.

(Anjana Prakash, J)

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