

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.822 of 2012

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Lila Devi, W/O Shyama Nand Bishwas, Resident Of Village- Bhatgama, P.S-
Kaswa, District-Purnea

.... Petitioner/s

Versus

1. The State Of Bihar
2. Shyama Nand Bishwas, S/O Domai Lal Bishwas
Both Resident Of Village-Bhatgama, P.S-Kasba, P.O-Matkopa, District-Purnea At
Present- Advocate, Civil Court Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.
Mr. Bipin Kumar, Adv.
For the State : Mr. P.K. Pandey, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 10-02-2015

Heard learned counsel for the Petitioner and the State.

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

The Petitioner seeks quashing of the order dated
16.4.2012 by which the Principal Judge, Family Court, Purnea, has
refused enhancement of maintenance in Case No. 22 of 2004.

It has been submitted on behalf of the Petitioner that the
Opposite Party No. 2 is an Advocate having a good income and the
Court rejected the prayer since earlier the Petitioner had compromised
the matter on terms of payment of Rs.800/- per month.

Evidently, since the prices have gone up, the Petitioner

filed an application under Section 127 Cr. P.C. for enhancement of the amount.

In my view, the prayer of the Petitioner is justified. Hence, the matter is remanded to the Court below with a direction that he will notice the Opposite Party No. 2 and fix maintenance to the Petitioner as per the current price index.

With this observation, the application stands disposed off.

(Anjana Prakash, J)

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