

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.144 of 2014

Arising Out of PS.Case No. -66 Year- 2010 Thana -null District- WESTCHAMPARAN(BETTIAH)

1. Sk. Shamshad Son of S.K. Ali Imam, Resident Of Village - Sarakia Tola, P .S.-
Balthar, District - West Champaran

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Subuk Tar Khatoon Wife Of S.K. Shamshad And Daughter Of S.K. Saifullah
3. Baby Khatoon Daughter Of S.K. Shamshad, both Resident Of Village - Sarakia
Tola, P .S.- Balthar, District - West Champaran

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.7, Advocate

For the Respondent/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 31-08-2015

The Petitioner seeks revision of the order dated 24.10.2013 passed by the Principal Judge, Family Court, Bettiah, West Champaran in Maintenance case No.66 of 2010, by which he has directed the Petitioner to pay Rs.10,000/- to the private Opposite Parties.

It has been submitted that the Petitioner is a BPL card holder and he has no earning and hence the amount fixed by the court below as maintenance is abnormally high, which he is unable to pay.

On the other hand, the Counsel for the private Opposite Parties submits that the Petitioner has got nothing on the record in support of his contention, the revision should be dismissed.

However, accepting that even as per the Maintenance case it was stated that the Petitioner earns Rs.12000/- per month, the order of payment of Rs.10,000/- is evidently unjustified.

Hence the order dated 24.10.2013 passed by the Principal Judge, Family Court, Bettiah, West Champaran in Maintenance case No.66 of 2010 is modified to the extent that from the date of order the Petitioner is directed to deposit a sum of Rs.3000/- per month.

With the aforesaid modification, the application stands disposed of.

(Anjana Prakash, J)

Narendra/-

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