

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1136 of 2013

Arising Out of Maintenance Case No.17 Year- 2011 District- DARBHANGA

=====

Kulshum Aara, Wife Of Mahmood Reja, Resident Of Village- Qaji Mohalla-
Bhakhara, P.S.- Singhwara, Distt- Darbhanga, at Present Village- Konaur, P.S.-
Kamtaul, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Mahmood Reja, Son Of Amirul Haque, Resident Of Village- Qaji Mohalla-
Bhakhara, P.S.- Singhwara, Distt- Darbhanga

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Md. Sufiyan, Adv.

For the State : Mr. Ashok Kumar 1, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-09-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated
10.9.2013 passed by the Principal Judge, Family Court, Darbhanga, in
Maintenance Case No. 17 of 2011 has refused to grant maintenance to
the Petitioner in a Proceeding under Section 125 Cr. P.C.

On the last occasion, a suggestion was given to the
Parties to explore the terms of settlement. The offer of the Opposite
Party No. 2 is that he would give a sum of Rs.1,000/- per month since
he is not doing any job. He is ready to take back the three children
born out of the wedlock.

Since it is difficult for this Court to go into the financial

capacity of the Parties, the Opposite Party No. 2 is directed to pay a sum of Rs.1,000/- per month to the Petitioner.

With such observations, the order dated 10.9.2013 passed by the Principal Judge, Family Court, Darbhanga, in Maintenance Case No. 17 of 2011, is hereby, set aside. However, to ensure payment the matter is remanded to the Court below to enable the Principal Judge Family Court, Darbhanga, to ensure that the Opposite Party No. 2 pays a sum of Rs.1,000/- per month to the Petitioner before the 15th of every month, failing which legal consequences shall be initiated by him against the Opposite Party No. 2.

S.Ali/-

(Anjana Prakash, J)

U		T	
---	--	---	--