

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1150 of 2012

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Md. Hafiz Jahangir @ Md. Jahangir, son of Md. Sattar Ali, resident of village Lokmanpur, P.S. Kharik, Distt. Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Ashmina Khatoon, wife of Md. Hafiz Jahangir, daughter of Md. Guljar, resident of village Karrahu, P.S. Bihpur, Distt. Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : None.

For the State : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-06-2015

By an order dated 6.11.2012, the matter was adjourned to enable the Petitioner to seek instructions in regard to deposit of the arrears amount of maintenance.

No one appears on behalf of the Petitioner.

The Petitioner seeks revision of the order dated 28.2.2012 passed by the Principal Judge, Family Court, Bhagalpur, in Misc. Case No. 03 of 2010 by which he has awarded maintenance of Rs.2,500/- to the Opposite Party No.2 and Rs.500/- each to the children.

From the impugned order, I find that there is no discussion as to the paying capacity of the Petitioner. There is a bald statement of the Opposite Party No. 2 that he was earning Rs.15,000/- per month and has 25 Bighas of land, but, there is no proof in this

regard.

Considering such situation, the amount of Rs.2,500/- is reduced to Rs.1,000/- per month but the amount to the children shall remain the same.

This order is effected from the date of order of the Court below i.e. 28.2.2012.

With the aforesaid modification in the quantum of maintenance, the revision is dismissed.

(Anjana Prakash, J)

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