

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8161 of 2015

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Dil Bagh Singh

.... Petitioner/s

Versus

Kumari Sampa

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 08-04-2016 Heard the learned counsel, Mr. Jagdish Prasad, for the petitioner and the learned counsel, Mr. Jyoti Shanker, for the respondent.

By the order dated 02.07.2014, the learned Principal Judge, Family Court, Patna directed the husband petitioner to pay Rs.5000/- per month as maintenance under Section 24 of the Hindu Marriage Act in Matrimonial Case No.611 of 2012.

The learned counsel for the petitioner submitted that in fact the wife is also getting salary of Rs.46,000/- per month as she is employed in Delhi in a private firm and, therefore, the Court below should not have granted the maintenance under Section 24 of the Hindu Marriage Act.

On the contrary, the learned counsel for the respondent submitted that temporary wife was working but the said firm has

now been closed and the respondent is now residing in Mica in Patna and not in Delhi and she has got no income now.

Perused the order passed by the Court below.

It appears that the Court below has observed that nothing was produced before the Court below in support of the case that the wife is also earning Rs.46,000/- per month. So far the petitioner is concerned, admittedly he is a Bank Manager.

In such view of the matter when the Court below has granted only 5000/- per month as maintenance, I do not find any case for interference in supervisory jurisdiction.

Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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