

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.780 of 2016**

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Bishwajit Kumar

.... Appellant/s

Versus

Swati Priya

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Rahmatullah

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

3 21-10-2016 Heard the learned counsel, Mr. Rahmatullah for the

petitioner and the learned counsel, Mr. Mukesh Kumar Jha for the

respondent.

Perused the impugned order dated 17.06.2016 passed
by the learned Principal Judge, Family Court, Katihar in
Matrimonial Case No.309 of 2015 whereby the learned Court
below directed the husband-petitioner to pay Rs.15,000/- per
month as maintenance to the wife-respondent.

From perusal of the impugned order, it appears that the
relationship of husband and wife is admitted. The husband has
filed the matrimonial case under Section 9 of the Hindu Marriage
Act. It is also admitted that the wife-respondent is unemployed
and has got no source of income for her maintenance. It is also
admitted fact that the wife is residing with her parents. It is also
admitted that the petitioner-husband is Executive Engineer in

D.V.C. Durgapur, West Bengal and is getting salary of Rs.68,000/- and odd. Considering all these aspects of the matter, the Court below has directed the petitioner to pay Rs.15,000/- per month only as maintenance to the wife.

In view of the above facts and circumstances of the case, in my opinion, in no case, it may be said that the order passed by the Court below is without jurisdiction or the Court below has passed the order in the manner not permitted by law or it occasioned failure of justice. Therefore, no case for interference in supervisory jurisdiction is made out.

Thus, this Civil Miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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