

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3689 of 2013

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Pradeep Kumar Singh @ Pradeep Kumar S/O Late Suresh Singh Resident
Of Village - Chaidha Tola, P.S. Mansi, Dist. Khagaria

.... Petitioner.

Versus

Khushboo Kumari W/O Pradeep Kumar Singh And D/O Ramdeo Mahton
Resident Of Village - Sundarpur, P.S. Dharhara, Dist. - Munger

.... Respondent.

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL JUDGMENT

4 15-02-2016

Heard the learned counsel for the petitioner.

No body has appeared on behalf of the
respondent even after the service of notice.

By the impugned order the learned court below
has allowed a sum of Rs.1500/- per month by way of maintenance
under Section 24 of the Hindu Marriage Act to the respondent
with further direction for payment of the conveyance cost and
litigation cost on per date basis.

The present petitioner has filed an application for
restitution of conjugal rights under Section 9 of the Hindu
Marriage Act. During the pendency of the proceeding the
respondent-wife filed the petition under Section 24 of the Hindu
Marriage Act praying for maintenance of Rs.3,000/- per month as

litigation cost and Rs.10,000/- as interim maintenance. By the impugned order the learned court below has allowed Rs.1500/- per month as interim maintenance cost and also Rs.100/- by way of conveyance cost and Rs.50/- as lawyer's fee and Rs.50/- as miscellaneous litigation cost on per date basis.

The learned counsel has submitted that the petitioner is only a daily wage earner and has no means to pay the aforesaid amount. It has, however, been also stated that the petitioner has not paid the amount as directed by the learned court below by its order dated 18.08.2012 up-till-now i.e. 15.02.2016.

Considering the submissions and the materials on record as well as the impugned order, this Court does not find that the learned court below has committed illegality or perversity in passing the impugned order.

The writ application is, accordingly, dismissed.

(V. Nath, J)

Nitesh/-

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