

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1186 of 2016**

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Anup Kumar Ojha

.... Appellant/s

Versus

Smt. Veena Devi

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Madhaw Prasad Yadaw

For the Respondent/s : Mr.

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

2 24-11-2016

Heard learned counsel for the petitioner and learned
counsel for the respondent.

Perused the impugned order dated 16.05.2016 passed
by learned Principal Judge, Family Court, Saran at Chapra in
Divorce Case No.14 of 2015 whereby the learned court below has
directed the petitioner to pay Rs.4,000/- per month as maintenance
to the respondent under Section 24 of the Hindu Marriage Act.

From perusal of the impugned order, it appears that the
court below considered the fact alleged by the wife-respondent
that the petitioner is doing wine business and according to the
wife, he is doing wine business at Kanpur.

The grievance of the petitioner is that the amount fixed
by the learned Principal Judge is excessive. The learned counsel
appearing on behalf of the wife-respondent submitted that in fact
the amount fixed by the court below is liable to be enhanced

because the petitioner is getting more amount than Rs.50,000/- per month.

It may be mentioned here that this application has been filed under Article 227 of the Constitution of India. Therefore, in exercise of supervisory jurisdiction this Court cannot hold panchayati and fix the monthly maintenance under Section 24 of the Hindu Marriage Act. The amount of Rs.4,000/- in these days cannot be said to be excessive amount considering day to day expenses.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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