

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1261 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- BEGUSARAI

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Sanjay Kumar @ Sanjay Kumar Singh, son of late Pramod Shanker Singh, resident of village - Maheshpur,, P.S.- Muffasil, District- Muner at present residing at Ganga Bihar Colony, Tekari Road, Sultanganj, P.S.- Mahendru, Dsitrict- Patna.

.... Petitioner/s

Versus

Kundan Kumari @ Kanchan Singh, wife of Sanjay Kumar Singh, resident of village- Maheshpur P.S Muffasil District- Munger, D/o Ram Sagar Chaudhary, Resident of Parmanandpur, P.S Cheriya Bariyarpur Dist Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Kumar, Advocae.
Mr. Ritesh Kumar, Advocate.
For the OP No. 2 : Mr. Sandip Kumar Gautam.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 23-08-2017

Heard learned counsel for the petitioner as well as learned counsel for the State.

2. Learned counsel for the submits that when the final order was passed regarding maintenance, this petitioner was a Marine Engineer employed in Meditarian Shipping Company Crewing Services Private Limited, earlier used to be employed for six months, and now it is reduced to three to four months, so his financial position has been affected so not in a position to pay the interim maintenance amount to his wife as directed by the court below.

3. Learned counsel appearing on behalf of the O.P. No. 2 opposed the contention of the learned counsel for the petitioner.



4. Having considered the rival submissions of both sides, the Court finds that the issue raised by the petitioner cannot be decided in revisional jurisdiction. In case of any change in the circumstances, there is specific provision for alteration in allowance following the procedure contained in Section 127 of the Criminal Procedure Code, which requires proof of the change circumstances. Therefore, this revision application is disposed of with the observation that the petitioner may move before the court below under the said provision if so advised, which shall be decided in accordance with law.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2017
Transmission Date	30.08.2017

