

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.651 of 2016

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1. Manorma Devi Wife of Sri Shyam Kishor Giri at Present resident of village- Rauna Baxar, P.S. - Belaganj, District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Shyam Kishore Giri Son of Basudeo Giri Resident of Village- Dinko, P.S. - Korma, District- Sheikhpura(Bihar)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Adv.
Mr. Lakshmi Kant Sharma

For the Respondent/s : Mr. Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 08-02-2017 Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor representing the State.

The petitioner is wife of Opposite Party No. 2. She has been allowed monthly maintenance allowance by the Court of learned Principal Judge, Family Court, Gaya. It appears that she has filed an application, under Section 127 of the Code of Criminal Procedure, 1973, for enhancement of maintenance allowance. It also transpires that the petitioner made a prayer before the learned Family Court that since the Opposite Party No. 2 was going to retire, the payment of retiral benefits to be made to him



should be stopped, raising an apprehension that otherwise she will not get her monthly maintenance allowance, as ordered by the learned Court below. The said prayer has been refused by the learned Principal Judge, by the impugned order, dated 28.05.2016. At the same time, the learned Principal Judge has directed the Drawing and Disbursing Officer of the Department concerned to deduct previous dues amount from the retiral benefits of the Opposite Party No. 2 and deposit the same in the account of the petitioner.

On perusal of the said order, dated 28.05.2016, I find that it is interim in nature and this revision application against the said order, dated 28.05.2016, cannot be maintained.

Learned Senior Counsel, appearing on behalf of the petitioner, has submitted that the learned Court below may be asked to expedite the petitioner's application, under Section 127 of the Code of Criminal Procedure, 1973.

This application is disposed of with an observation that let the said application be disposed of by the learned Court below expeditiously preferably within a period of six months from the date of communication of the present order, if the petitioner is ready to produce evidence



on her behalf.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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