

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39133 of 2014

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Damodar Rai son of Late Ram Dahin Rai Resident of village - Tehal Tola,
P.S. Garkha, District - Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. Kismatiya Devi Wife of Damodar Rai Resident of village - Tahal Tola,
P.S. Garkha, District - Saran at Chapra

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kr. Singh, Adv.
Mr. Anant Kumar Bhashkar, Adv.
For the Opposite Party No.1: Mr. Anil Singh (App)
For the O.P. No. 2 : Mr. Rajesh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-09-2017 Heard Shri Anant Kumar Bhashkar, assisted by

Rajesh Kr. Singh and the learned counsel for the Opposite Party

No.2.

The petitioner has assailed the order dated
11.07.2014 passed in Maintenance Case No. 128 of 2013 whereby
and whereunder the learned Principal Judge, Family Court, Saran
at Chapra has fixed an ad-interim maintenance of Rs. 2000/- per
month.

The learned counsel for the petitioner submits that
the present maintenance petition has been filed after 47 years of
marriage as well as the same is vexatious and mala fide and there
are no reasons for filing the said petition.



I have perused the order of the learned Principal Judge, Family Court, Saran at Chapra and I find that admittedly the petitioner and the Opposite Party No.2 are the husband and wife and, therefore, the obligation of the petitioner is to maintain his wife in good condition and respect. I find from the order that the said order dated 11.07.2014 is well reasoned and a trivial amount of Rs. 2000/- per month has been allowed as maintenance.

Accordingly, I do not find any reason to interfere with the impugned order. The petition is dismissed.

However, the petitioner is at liberty to file a petition before the learned Principal Judge, Family Court, Saran at Chapra in case of change of circumstances.

(Mohit Kumar Shah, J)

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