

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7527 of 2014

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Baidya Nath Singh, son of Late Bidya Singh, resident of village- Karsahiya,
P.S.- Dhaka, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar
2. Smt. Lalita Devi, wife of Baidya Nath Singh, resident of village-
Karsahiya, P.S. Dhaka, District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sewak Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

10 21-07-2017

This application is filed under Section 482 of the Code of Criminal Procedure, 1973 challenging order dated 18.11.2011 passed by the learned Principal Judge, Family Court, Motihari, East Champaran in Maintenance Case No.272 of 2011 directing the petitioner to pay Rs.3,000/- per month as maintenance since 5.7.2011, the institution of maintenance case.

Learned counsel for the petitioner submits that now the petitioner is a retired Government School teacher and he has second wife also so this amount is excessive.

However, the total amount of pension per month received by the petitioner is not disclosed. The petitioner is getting pension per month as also received retiral benefits so the maintenance amount of Rs.3,000/- as directed by the Principal Judge is not excessive at all.



Considering the fact that petitioner is a retired teacher of a Government School and now he is getting pension on regular basis so there is no ground for interfering with the order it is also revealed by the counsel that still this order despite the direction is not being carried on by the petitioner so the Principal Judge, Family Court is directed to take all coercive steps to realize the amount and to ensure the payment of maintenance to opposite party no.2 on regular basis. In view of the present economic status of the petitioner being a retired Government employee maintenance amount to be given by him to opposite party no.2 is not excessive at all.

The petition stands dismissed.

(Arun Kumar, J)

N.H./-

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