

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.902 of 2016

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1. Faiyaz Ahmad son of Nurul Hoda Quasimi resident of Mohalla -
Mahmadpur Devpar P.S. Pusa, Dist - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ghazala Pervin wife of Faiyaz Ahmad resident of village Mahamdpur
Devpar, P.S. Pusa, Dist - Samastipur at present D/o Irshadur Rahman
resident of village Mahmadpur Koari, P.S. Pusa Beni, Dist - Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Respondent/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 09-02-2017 Though this application has been placed under the heading "Orders" with the defects as pointed out by the Registry, considering the nature of dispute involved, after having ignored the defects as pointed out by the Registry, I consider it appropriate to dispose of the application on merits after hearing the learned counsel for the petitioner.

2. There is no dispute that the petitioner is the husband of Opposite party No.2. By an order, dated 04.04.2016 passed in Maintenance Case No. 177 of 2015, learned Principal Judge, Family court, Samastipur has allowed monthly maintenance allowance to the tune of Rs. 3,000/- to Opposite party No.2 and Rs. 500/- each for two children of the petitioner and Opposite party No.2.



3. Upon perusal of the impugned order, I find that there existed reasonable circumstance, which compelled the Opposite party No.2 to live separate from the petitioner. Learned court below after having analyzed the materials on record and the own acceptance of the petitioner reached the conclusion that his monthly income was not less than Rs. 15,000/- per month. The said finding cannot be said to be perverse requiring interference by this Court in revisional jurisdiction.

4. In that background the order asking the petitioner to pay a sum of Rs. 3,000/- for maintenance of Opposite party No.2 and Rs. 500/- each for two children of the petitioner and Opposite party No.2 cannot be said to be unreasonable.

5. I do not find any merit in this application.

6. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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