

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1003 of 2016

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1. Md. Iqbal @ Aqbal son of Late Abdul Hamid R/o Village- Belka, Rahika Tol, P.S.- Amour, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Samina Khatoon wife of Md. Iqbal, Daughter of Habibur Rahman R/o Village- Belka, Rahika Tol, P.S.- Amour, District- Purnea.
3. Sanu son of Md. Iqbal under the guardianship of his mother Bibi Samina Khatoon wife of Md. Iqbal, Daughter of Habibur Rahman R/o Village- Belka, Rahika Tol, P.S.- Amour, District- Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Respondent/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 07-02-2017 The defect as pointed out by the Stamp Reporter stands ignored. This application though listed under the heading "Orders" is being disposed of on merits after having heard the learned counsel for the petitioner.

2. This application has been filed against the order dated 02.09.2015 passed in Maintenance Case No. 203 of 2010 by learned Principal Judge, Family Court, Purnea, whereby the petitioner has been asked to pay a sum of Rs. 5,000/- per month as maintenance allowance to Opposite party Nos. 2 and 3, who are his wife and son respectively.

3. Learned counsel for the petitioner has attempted to persuade this Court that the income of the petitioner is not



so much as to pay Rs. 5,000/- per month as maintenance allowance. He has also submitted, referring to the order that a piece of land admeasuring 20 decimals has been transferred in the name of Opposite party No.2 by the petitioner.

4. On a query having been made as to what income did the petitioner disclose before the Court below, learned counsel for the petitioner has submitted that he did not adduce evidence at all.

5. I do not find any reason to interfere with the order, in such circumstance. I do not find the monthly allowance granted by the Court below is unreasonable in any manner whatsoever.

6. It goes without saying that if there is any change in the circumstance, the petitioner or Opposite party Nos. 2 and 3 shall be entitled to file an application before the Court below under Section 127 of the Code of Criminal Procedure, 1973 but in no case the petitioner shall file such application within one year from today.

7. This application stands disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

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