

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31288 of 2014

=====

Brajesh Dubey, son of Bishmbhar Nath Dubey, resident of village- Hariharpur, P.O.- Hariharpur, P.S.- Haldi, District- Balia (U.P.).

.... Petitioner

Versus

1. Purnita Devi, wife of Brajesh Dubey, resident of village- Hariharpur, P.O.- Hariharpur, P.S.- Haldi, District- Balia (Uttar Pradesh) Maika Nimej, daughter of Brij Ban Ojha. At present residing at village Nimej, P.O. Nimej, P.S. Brahmpur, District- Buxar.
2. The State of Bihar

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Damodar Prasad Tiwary, Advocate

For the Opposite Party/s : Mr. Abhay Kumar 1(App)

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

6 03-07-2017 This quashing application is filed against the order dated 7.3.2013 passed by Principal Judge, Family Court, Buxar in Case No.130(M) of 2011 whereby the petitioner-husband of opposite party no.2 has been directed to pay interim maintenance of Rs.75/- per day only which comes to Rs.2250/- per month.

Learned counsel appearing on behalf of the petitioner submits that it is the case of committing cruelty against the husband as she does not want to live with him however, he is ready to keep her. Moreover, the petitioner has got no landed property so he is unable to pay interim maintenance as he is unemployed person.

Learned counsel appearing on behalf of opposite party no.2 submits that the maintenance of Rs.75/- per day is



meager amount. The background of the husband is also good as his father is M.B.B.S. doctor.

Having considered rival submissions and on perusal of the record, I do not find that quantum of amount passed in interim maintenance is exorbitant. Moreover, the husband has got the liability to maintain his wife so there is no ground for interference in the impugned order.

Accordingly, this petition is dismissed. The petitioner is directed to pay interim maintenance amount as directed by the Family Court.

This quashing application stands dismissed.

(Arun Kumar, J)

N.H./-

U		T	
---	--	---	--

