

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1057 of 2016

Arising Out of PS. Case No.- Year- Thana- District- Sheikhpura

1. Abhay Kishore Pandey @ Abhay Pandey, son of Mahesh Pandey, resident of Mohalla Santar, Police Station and District Lakhisarai

... .. Petitioner/s

Versus

1. Seema Devi, wife of Abhay Kishore Pandey, resident of Mohalla Santar, Police Station and District Lakhisarai, at present residing at village and post office Gagari, police station and District Sheikhpura, at present residing of Seema Devi, daughter of Bhushan Pandey, resident of Gagari, Police Station and District Sheikhpura

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar
Mr. Bijay Kumar Pandey
For the Opposite Party : Mr. Bipin Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 07-08-2017 Heard learned Counsel for the petitioner and learned Counsel for the Opposite Party.

The petitioner, by an order, dated 09.09.2016, passed by learned Principal Judge, Family Court, Sheikhpura, in Maintenance Case No. 04M of 2013, has been asked to pay a sum of Rs. 4,500/- for maintenance of the sole Opposite Party and Rs. 1,500/- each for their daughter and son.



It is the plea of the petitioner that he is ready to keep the Opposite Party and the children born out of their wedlock with full love and dignity. It is his further contention that the petitioner does not have any source of income; whereas the Opposite Party earns, while working as Cook -cum- Sahayika.

Peculiar stand, thus, has been taken on behalf of the petitioner. On the one hand, he contends that he is ready to maintain the Opposite Party and the two children, at the same breath, it is his plea that he does not have any source of income to pay a sum of Rs. 7,500/- to the Opposite Party and the two children.

The plea, which has been taken on behalf of the petitioner is apparently misleading. In response to a specific query made by this Court as regards earning of Opposite Party, as Cook -cum- Sahayika, learned Counsel for the petitioner has given vague answers.

In that circumstance, the plea that the Opposite Party is in a position to maintain herself cannot be accepted.

Considering all facts and circumstances and on perusal of the impugned order, I do not find any illegality in the order requiring this Court's interference in revisional jurisdiction.



This application is meritless and is accordingly
dismissed.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J.)

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