

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No.716 of 2016**

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1. Raj Kishore Pandey Son of Late Ugam Pandey, resident of Village-  
Matiyaria, Police Station- Harsidhi, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Sabita Devi @ Sabitha Devi wife of Raj Kishore Pandey, D/o Late Yogi  
Tiwari, R/o Village- Janerwa, P.S.- Govindganj, District- East Champaran.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dhurendra Kumar

For the Respondent/s : Mr. Sri Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
ORAL ORDER

3      06-02-2017              Let the defect as pointed out by the Stamp Report be  
ignored.

2. Heard learned counsel for the parties.

3. The present criminal revision application under  
Section 19(4) of the Family Court Act has been filed against  
an order dated 05.04.2016 passed by the learned Principal  
Judge, Family Court, Motihari, in Maintenance Case No. 45 of  
2010, whereby the petitioner has been directed to pay to  
Opposite party No.2 the monthly allowance at the rate of Rs.  
3000/- per month from the date of the order. In addition,  
lump sum amount of Rs. 8,000/- has been directed to be paid  
towards cost of litigation.

4. The plea which has been taken on behalf of the  
petitioner to assail the impugned order is that the said



amount of Rs. 3,000/- per month as monthly allowance is excessive. Secondly, it has been asserted that Opposite party No.2 herself a "*Asha Worker*" and earns an amount of Rs.5000/-.

5. There is no dispute that the petitioner is husband of Opposite party No.2. This is also not in dispute that the petitioner has source of earnings.

6. Considering the facts and circumstances of the case, I do not find any legal infirmity in the order impugned since amount of Rs. 3000/- per month as maintenance allowance cannot be said to be excessive.

7. This application has no merit and it is, accordingly, dismissed.

**(Chakradhari Sharan Singh, J)**

ArunKumar/-

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