

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46396 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- MADHUBANI

=====

Madan Kumar Jha S/o Late Nawal Kishore Jha residing of Village Madhura, P.S. Madhepur, District Madhubani At Present residing at Sarisavpahi P.S. Sarisavpahi District- Madhubani

.... Petitioner/s

Versus

1. Veena Devi W/o Madan Kumar Jha (Since Divorcee)
2. Divya Deo Anand S/o Madan Kumar Jha
3. Sushma Kumari D/o Madan Kumar Jha
4. Sakchachi Kumari (Minor) D/o Mandan Kumar Jha Natural guardianship under Opp. Party No.1
All Residents of Village Madhura, P.S. Madhepur, District- Madhubani

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Kripa Nand Jha, Advocate.

For the Opposite Party/s : Mr. Gagan Deo Yadav, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 13-10-2017

Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner is aggrieved by the order dated 11.11.2013 passed in M.R. No. 25/2010 by which the learned Family Judge, Madhubani has directed the petitioner has been directed to pay Rs. 3,000/- (Three thousand) per month as interim maintenance to the opposite party no. 1.

3. The petitioner is a retired teacher and is getting a good amount of pension and other benefits. Learned counsel for the



petitioner is unable to satisfy this Court as to how a sum of Rs. 3,000/- per month is excessive and beyond the means of this petitioner. This being the position, this Court is not inclined to interfere with the impugned order.

4. It is a case of the year 2014. If the petitioner has not paid the amount of interim maintenance during the pendency of this application despite the fact that this Court had not stayed the impugned order, he will deposit the entire amount in the court below within a period of six week from today, failing which the court below shall take appropriate measure for recovery of the amount from the petitioner.

5. The pending proceeding before the court below be also taken up on day-to-day basis and the court below shall ensure disposal of the same preferably within a period of six months.

6. The application is dismissed with the above observations.

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.10.2017
Transmission Date	16.10.2017

