

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Appeal No.517 of 2015**

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Ajay Kumar Thakur S/o Shri Ram Bilash Thakur R/o Mohalla - Mogalpura, P.S. -  
Laheriasarai, District - Darbhanga.

.... .... Appellant

Versus

Kumari Sucheta W/o Ajay Kumar Thakur, D/o Shri Chandra Shekhar Sharma  
Mohalla - Rajiv Nagar (Near PICO Bhavan), Road No. 6, Patna.

.... .... Respondent

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**Appearance :**

For the Appellant : Mr. Awadhesh Kumar, Advocate  
For the Respondent : Mr. Binod Kumar Mishra, Advocate  
Mr. Vishal Saurabh, Advocate

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**

**and**

**HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)**

**Date: 08-05-2017**

Heard learned counsel for the appellant and learned  
counsel for the respondent.

This appeal has been preferred by the appellant-husband  
assailing a part of the judgment dated 23.06.2015 passed by the  
Additional Principal Judge, Family Court, Patna in Matrimonial Case  
No. 58 of 2011 by which while dissolving the marriage of the  
appellant and respondent it was further ordered for grant of  
maintenance of Rs. 3,500/- per month to the respondent for the  
maintenance, welfare and proper education of the minor son Sujay  
Kumar till he attains majority from the date of the judgment. The  
maintenance amount was required to be paid to the mother of the  
minor by 15<sup>th</sup> of every succeeding month. Admittedly the amount has  
not been paid. Such order of payment has been challenged in this  
appeal.



However, a supplementary affidavit has been filed by the respondent on 27<sup>th</sup> of April, 2017 stating in paragraph 2 that at present the respondent is not working with any organization or engaged with any agency.

Learned counsel for the appellant submits that the appellant does not want to pursue this appeal.

Accordingly, this appeal is disposed of with a direction to the appellant to pay the amount of maintenance calculated from the date of the judgment till the date of payment before the Court below itself, so that the same could be withdrawn by the respondent-wife.

So far as payment of current maintenance till the minor child attains the age of majority is concerned, the respondent-wife will provide her bank account number in writing before the Court below. In that bank account the maintenance amount would be deposited by the appellant by 15<sup>th</sup> of every succeeding month commencing after this month till which, the amount would be paid as arrear.

This disposes the appeal.

It is made clear that this judgment has been passed with the consent of the parties.

**(Dr. Ravi Ranjan, J)**

**(Vikash Jain, J)**

Chandran

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