

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.562 of 2016

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Asha Devi, D/o Late Shivnandan Prasad Kasera, R/o Village-
Thatheri Bazar, Dumraon, P. S. Dumraon, District-Buxar
..... Petitioner/s

Versus

Parasnath Kasera, Helper - Cum - Cleaner Rajkiya Ayurvedic
Aushdhalaya, Post-Benar, District-Nalanda
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha
For the Respondent/s : Mr. Mayanand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 06-02-2017 Heard learned counsel for the parties.

2. The petitioner seeks to challenge an order passed by learned Principal Judge, Family Court, Buxar, whereby the Court below, in exercise of power under Section 127 of the Code of Criminal Procedure has enhanced the maintenance amount from sum of Rs. 350/- per month to Rs.3000/- per month.

3. The petitioner is the wife of Respondent. From the impugned order, I find that the petitioner herself claimed monthly income of the Respondent to be Rs. 14,000/- per month. In that circumstance, enhancement of the amount of monthly maintenance to Rs. 3,000/- per month cannot be said to be unreasonable.

4. Learned counsel appearing on behalf of the petitioner has submitted that the said amount is not being



regularly paid by the Respondent and that the amount of Rs. 3,000/- per month is not adequate for monthly maintenance of the petitioner.

5. While not interfering with the impugned order, this application is disposed of with an observation that it will be open to the petitioner to seek further enhancement of the maintenance amount, if there is any change in the circumstance in accordance with the provisions of the Code.

6. So far as the grievance that the respondent is not making payment to the petitioner, it goes without saying that the petitioner will be at liberty to take appropriate legal action against the respondent as available to her under law before the Court below.

7. This application stands disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

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