

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.584 of 2016

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1. Sajmun Nisha Wife of Md. Hasim Khan Resident of Village:- Newada,
Po Tilkapur, PS Sultanganj, Distrcet Bhagalpur.

.... Petitioner/s

Versus

1. Md. Hasim Khan Son of late Sharif Khan Resident of Village: Mirjagaon
(Dilgori) PS Sultanganj, District Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 31-01-2017 The present revision application has been listed under the heading “Orders” with office notes pointing out certain defects. However, with the consent of the learned counsel for the petitioner, this application is being disposed of at this stage itself, ignoring the said defects.

2. In the present criminal revision application, petitioner seeks increase of maintenance amount allowed by the learned Principal Judge, Family Court, Bhagalpur *vide* order dated 15.09.2012 under Section 125 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the **Code**) in Miscellaneous Case No. 64 of 2007. By the said order, the Court below has allowed a sum of Rs. 2500/- monthly maintenance amount payable to the petitioner and Rs. 1500/- for the minor daughter. The said amount,



according to the petitioner, is inadequate and meager considering the salary of the Opposite party, who is said to be a Class III employee. His salary slip has been brought on record by way of Annexure-1 to this application.

3. In my view, the criminal revision application cannot be maintained.

4. The petitioner has remedy under Section 127 of the Code for alteration in the maintenance allowance so allowed.

5. This application is dismissed as not maintainable.

6. The petitioner shall have the liberty to take recourse to appropriate provisions of law for the relief sought for.

7. It is made clear that I have not gone into the merits of the claim of the petitioner and this order shall not cause any prejudice to the case of the parties in any manner in other proceeding.

(Chakradhari Sharan Singh, J)

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