

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.1048 of 2016

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1. Bajrangi Mandal S/o Bharat Mandal, Resident of Village- Kalyanpur,
P.S.- Jamui, District- Jamui.

.... Petitioner/s

Versus

1. Gudiya Devi W/o Bajrangi Mandal, D/o Makeshwar andal, Resident of
Village- Puna-dih, P.S. Kajra, District- Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
With Mr. Parmanand Pd. Nr. Sahi

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 08-03-2017 Heard learned counsel for the parties.

2. The petitioner is admittedly the husband of the Opposite party. By impugned order, dated 18.07.2016 passed in Maintenance Case No. 8 of 2014 by learned Principal Judge, Family Court, Lakhisarai, he has been asked to pay monthly maintenance allowance at the rate of Rs. 7,000/- per month in favour of Opposite party and Rs. 2,000/- for maintenance of the minor child.

3. Assailing the impugned order, learned counsel for the petitioner has submitted that the petitioner is Helper to an Electrician and in that background fixation of maintenance allowance at the rate of Rs. 7,000/- per month for wife and Rs. 2,000/- for the minor child is excessive and without any basis.

4. I have perused the impugned order. Learned



Court below has taken into account the evidence of witnesses adduced in the proceeding for maintenance under Section 125 of the Code of Criminal Procedure. He has specifically referred to the evidence of the mother of the petitioner, which shows that the family has 5-6 shops nearly four Kilometers away from Jamui Market. Considering this fact and other materials on record, the said amounts have been fixed for maintenance of the Opposite party and the minor child.

5. What I notice from the impugned order is that the petitioner deliberately withheld the information as regards his actual monthly income from the Court below. He took a plea that he worked as Helper to an Electrician but he did not disclose as to what was his actual income. His mother in her evidence deposed that the petitioner was engaged in the work of electrical wiring.

6. Considering the facts and circumstances, in my opinion, fixation of the monthly maintenance allowance for the Opposite party and the minor child as done by the Court below cannot be said to be unreasonable requiring this Court's interference in revisional jurisdiction.

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

ArunKumar/-

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(Chakradhari Sharan Singh, J)

