

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1832 of 2017**

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1. Ajit Kumar, S/o Prof. Maan Singh, resident of Uttari Dahiyawan Tola,
P.O./ P.S. Chapra Nagar, District- Saran.

.... Petitioner/s

Versus

1. Smt. Vibha Singh, Wife of Ajit Kumar, resident of Uttari Dahiyawan
Tola, P.O. & P.S. Chhapra Nagar, District- Saran., Daughter of Sri Suresh
Chandra Singh, presently residing at Sector- 12/C, Quarter no. 3810, 'CD'
Type, Bokaro Steel, City, Jharkhand.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kishore Kumar Sinha

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER**

2 16-05-2018

Heard the learned counsel for the petitioner.

The petitioner filed this civil miscellaneous petition against the order dated 23.08.2017 passed by Principal Judge, Family Court, Saran at Chhapra in Divorce Case No.177 of 2015 by which the petitioner has been directed to pay a sum of Rs.4,000 per month to his wife as maintenance pendente lite and expenses of the proceeding.

The learned counsel for the petitioner submits that there is no definite source of income of the petitioner. The wife of the petitioner is living in Bokaro and the petitioner has come to know that she is employed in a coaching institute. It is further submitted that petitioner filed divorce case alleging that his wife was



mentally ill and concealing this fact, the marriage was solemnized.

There is no chance of living with such mental insane person.

Taking into consideration the facts that the petitioner himself stated that his wife is mentally insane and she is not able to live a happy conjugal life but she is living in her parents' house, I find that the learned Principal Judge has rightly allowed the petition of ad interim maintenance and directed the petitioner to give Rs.4,000/- as maintenance and litigation cost. The litigation cost has not yet been quantified as it appears from the order. Rs.4,000/-, the amount which has been granted as maintenance, appears to be reasonable and just, therefore, I do not find any reason to interfere with the impugned order.

Accordingly, this civil miscellaneous petition is dismissed. The petitioner shall keep on paying Rs.4,000/- as maintenance to his wife.

(Prabhat Kumar Jha, J)

Saurabh/-

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