

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.2114 of 2017

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1. Vicky Pandey @ Biky Kumar Pandey Son of Birendra Pandey Resident of Village - Parsagarh, P.S. - Ekma, District - Saran.

.... Appellant/s

Versus

1. Guriya Devi Wife of Vicky Pandey, daughter of Girdhar Gopal Ojha Residing at Village - Chaturpur, P.S. - Nayagaon, District - Saran.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Maharaj

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 25-07-2018

Heard learned counsel for the petitioner.

Petitioner has filed this Civil Misc. petition against the order dated 25.05.2017 passed in Divorce Case No. 212 of 2015 by which the learned Principal Judge, Family Court directed the petitioner/husband to pay Rs. 3,000/- per month for the maintenance of his wife/respondent.

The learned counsel for the petitioner submits that the petitioner is always ready to keep his wife but his wife left his house and she has got extra marital relation and thereafter only petitioner filed divorce case. The wife is not at all entitled to get any maintenance. Petitioner has got no source of income but without taking into consideration the facts, learned Principal Judge has directed the petitioner to pay a sum of Rs. 3,000/- per month



as interim maintenance to his wife.

Admittedly, the respondent is wife of the petitioner, who filed petition under Section 24 of the Hindu Marriage Act for grant of maintenance pendente lite. The wife/respondent has categorically stated that besides the immovable property, lands about 7 bigha, the petitioner is skilled electrician and he also runs Bolero Jeep bearing Reg. No. OR-23D-46. Petitioner earns good money but he did not pay any maintenance to his wife.

I find that the learned Principal Judge has rightly allowed ad interim maintenance of Rs. 3,000/- to the wife and I do not find any illegality in the impugned order. Accordingly, this Civil Misc. petition is dismissed.

(Prabhat Kumar Jha, J)

BKS/Rajan

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