

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.895 of 2017

=====

Bibha Devi, Wife of Anil Kumar Singh, D/o Mahendra Kunwar, resident of Village Tengraha, P.S. Minapur, District- Muzaffarpur, At present residing at Village- Jarang Tok, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anil Kumar Singh, Son of Sri Raghunath Singh, resident of Village- Tengraha, P.S.- Minapur, District- Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha

For the Respondent/s : Mr. Sri Chandrasen Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 26-02-2018

The petitioner was directed to be paid a monthly maintenance of Rs. 3000/- per month from the date of the passing of the order by the learned Family Court which is from 13.07.2017.

The petitioner is aggrieved by the fact that maintenance has not been awarded to her from the date of filing of the petition for maintenance which is 22.03.2013.

Section 125(2) of the Code of Criminal Procedure is very specific with respect to the aforesaid requirement of clarifying as to from which date the order of maintenance would be made effective. Section 125(2) reads as follows:-

“Any such allowance for the maintenance or interim maintenance and expenses of proceeding shall be



payable from the date of the order, or, if so ordered, from the date of the application for maintenance or interim maintenance and expenses of proceeding, as the case may be.”

From the perusal of the records, it appears that the Family Court has specifically directed the maintenance to be paid from the date of passing of the order.

No ground has been adduced by the learned counsel for the petitioner to differ with the aforesaid findings.

The revision petition is, accordingly, dismissed.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

