

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52950 of 2018

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Rajeev Kumar S/o Bal Ram Singh, R/o Mohalla- Naya Tola,
Madhavpur, P.O.- Mohalla- Dhananjay Colony, Sanjay Gandhi
Nagar, P.S.- Patrakar Nagar, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Anuradha D/o Ramjee Singh @ Ramjee Roy W/o Rajeev
Kumar, R/o Mohalla- Dhananjay Colony, Sanjay Gandhi
Nagar, P.S.- Patrakar Nagar, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 25-09-2018

The petitioner is aggrieved by the order dated 23.06.2018 passed by the learned Additional Principal Judge, Family Court, Patna in Maintenance Case No. 301(M) of 2015. By the impugned order the petitioner has been directed to pay ad-interim maintenance of Rs. 10,000/- per month to the Opposite Party No. 2 and the learned court further directed the petitioner to pay a sum of Rs. 15,000/- to the Opposite Party No. 2 as litigation cost in one time relief.

Learned counsel for the petitioner has assailed the impugned order mainly on the ground that the Opposite Party No. 2 is also employed and is earning, however there is no material in support thereof. On perusal of the impugned order as also the pleadings



available on the record, this court finds that admittedly this petitioner is working as Section Engineer in Indian Railway, he is getting a monthly salary of Rs. 50,000/- and according to him his personal expenses are about Rs. 20,000/- per month. The petitioner and the Opposite Party No. 2 have got no issue out of their wedlock.

In the opinion of this court if the petitioner is getting a sum of Rs. 50,000/- per month as salary and his own expenses as per his own averment is Rs. 20,000/-, there is no reason why he will not pay a sum of Rs. 10,000/- per month to his wife which is half of the amount which he himself spends on his own. After all he is husband of Opposite Party No. 2 and is obliged to maintain his wife with the same dignity with which he is living.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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