

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9249 of 2017

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Jitendra Nutt, Son of Sri Lalan Nutt, Resident of Village- Simri, P.S.- Simri,
District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puja Devi, wife of Jitendra Nutt, Resident of Village- Simri, P.S.- Simri,
District- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD

ORAL ORDER

2 05-11-2018 The ad-interim order of maintenance to the opposite party no.2 directed by the learned Principal Judge, Family Court, Buxar in Maintenance Case No.99 of 2011 is under challenge in the present application. The interim order says that the petitioner would be liable to pay a sum of Rs.3,000/- per month to the opposite party towards her maintenance.

Learned counsel for the petitioner submits that the petitioner is a labourer and he has also come to know that the opposite party has married to somebody else, her address is not said to be traceable.

In the given facts and circumstances of the case, this Court is of the considered opinion that even if the petitioner is a



labourer, keeping in mind the wages of an unskilled labourer, an award of Rs.3,000/- per month cannot be said to be unreasonable. So far as the submission that the opposite party has married to somebody else and her address is not traceable for the present, this Court cannot take note of those submissions for the purpose of interfering with the impugned order because in such case the petitioner has a remedy available in the court below in accordance with law.

For the present, this Court is not inclined to interfere with the impugned order. This application is dismissed.

(Rajeev Ranjan Prasad, J)

Arvind/-

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