

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.926 of 2015

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Sudhir Kumar, Son of Madheshwar Singh, R/o Village -
Imamganj, P.O. - Teri, P.S. - Mehandia, District - Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Khushbu Kumari, D/o Sudhir Kumar under custodian of
her maternal grandfather Ram Narayan Singh, R/o Village -
Imamganj, P.O. - Teri, P.S. - Mehandia, District - Arwal; at
present R/o Village - Khairadeep, P.S. - Daudnagar, District
- Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the State : Mr. Ansuaiya Jaiswal, APP

For the O.P. No. 2 : Mr. Prakash Tiwari, Adv.

Mr. Anand Tiwari, Adv.

Mr. Mahesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

6 12-04-2018

The petitioner, who is the father of the opposite
party No. 2, has challenged the order dated 21.07.2015,
passed by the learned Principal Judge, Family Court,
Aurangabad in Maintenance Case No. 175 of 2014,
whereby he has been directed to pay an amount of Rs.



3,000/- per month to the opposite party No. 2 by way of interim maintenance.

The records reveal that after the death of the wife of the petitioner, the opposite party No. 2, *i.e.* the daughter of the petitioner started residing with her maternal grandfather, *viz.* Ram Narayan Singh. A guardianship case was also filed by the maternal grandfather of the opposite party No. 2, wherein it was decided that the petitioner remains the natural guardian of opposite party No. 2 but till the opposite party No. 2 attained the age of majority, she would live with her maternal grandfather. However, visitation rights were given to the petitioner.

No good ground has been raised by the petitioner for setting-aside the order of interim maintenance or reduction of the amount so directed.

Learned counsel appearing for the opposite party No. 2 has, however, submitted that this petition, in the first instance is not maintainable, as it is against an interim order of maintenance.

Be that as it may, since the petition has been entertained in this Court since 2015, this Court is not inclined to reject the petition on the ground of its maintainability.



However, on merits, since no ground has made out for interfering with the order impugned, the petition is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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