

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.907 of 2015

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Sarwar Alam, Son of Kalimuddin, Resident of village-
Darshana, Police Station- Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Nikhat Parween, Wife of Sarwar Alam, Daughter of Sulaiman.
3. Ishtiyaque Alam, Son of Sarwar Alam.
4. Nehat Parween, Daughter of Sarwar Alam.

Resident of Opposite Parties Nos. 3 & 4 are minor under the guardianship of Opposite party No. 2 (Bibi Nikhat), Opposite Party Nos. 2 to 4 resident of Village- Darshana, Police Station- Jokihat, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Adv.

For the O.P. Nos. 2 – 4 : Mr. Nadimul Hassan, Adv.

For the State : Mr. Ram Sumiran Rai (APP)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 27-07-2018 The petitioner has challenged the order dated 07.09.2015, passed by the learned Principal Judge, Family Court, Araria in Maintenance Case No. 60 of 2012, whereby, he has been directed to pay a sum of Rs. 3,000/- per month to the opposite party No. 2 for her maintenance



as well as maintenance of opposite party Nos. 3 and 4.

From the order impugned, it appears that the court below has taken into account all aspects of the matter and has come to the conclusion that the petitioner is required to maintain his wife and the two children (opposite party Nos. 3 and 4) born out of the wedlock. It also appears from the order impugned that the opposite party No. 2 was ousted from her matrimonial home and perforce, she had to stay with her father since 2010. It further appears from the record that the opposite party No. 2 does not have any independent means of maintaining herself or her children.

The financial health of the petitioner may not be very good; nonetheless, the quantum of maintenance which has been fixed is, in the opinion of this Court, bare minimum for maintenance of two children and a mother.

Considering the aforesaid aspect, this Court is not inclined to interfere with the order impugned.

The revision petition is, thus, dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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