

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.552 of 2015

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Sunil Kumar Jaiswal S/o Rajendra Prasad Himanshu
Resident of Village Dholbajja Bazar, P.S. Dholbajja Bazar,
District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puja Devi W/o Sunil Kumar Jaiswal D/o Arbind Bhagat
Resident of Village Chhotni Badhona, P.S. Chausa,
District Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Respondent/s : Mr. A.M.P. Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 10-08-2018 Mr. Pawan Kumar, learned advocate for the petitioner has fairly submitted before this Court that he has not been in communication with his client/petitioner. As such, he is not in a position to defend his case.

The petitioner has approached this Court against the final order dated 28.05.2015 passed by the learned Principal Judge, Family Court, Madhepura in Miscellaneous (Maintenance) Case No. 01 of 2012 whereby he has been directed to pay to the O.P. No. 2 an amount of Rs. 4000/- per month towards her maintenance.

From the perusal of the order impugned, it appears that both the parties could not lay materials before the



learned Family Court to decide about the financial strength of the petitioner. In the absence of such material, by taking general circumstances into account, the Family Court has fixed the amount of Rs. 4000/- per month to be paid to the O.P. No. 2 for maintaining herself and her two children born out of the wedlock of the petitioner with the O.P. No. 2.

Pursuant to the notice, Mr. Jagdhar Prasad, learned advocate has appeared on behalf of O.P. No. 2. He submits on instructions that till date, no money has been paid to O.P. No. 2 for her maintenance.

Considering this as also that the quantum of maintenance fixed by the Family Court is reasonable, this Court is of the view that no interference with the impugned order is required.

The petition is accordingly dismissed.

(Ashutosh Kumar, J)

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