

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No. 142 of 2018

Arising Out of Maintenance Case No.-260 Year-2012 Thana- District-

Heena Kausar, Daughter of Md. Islam, Resident of Village- Uffrail, P.S.- K. Nagar (Sri Nagar), District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Afroj Son of Md. Hassim, Resident of Village- Patouri Bazar, P.S.- Bihara Bazar, District- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar Anand, Advocate
For the Opposite Party No. 2	:	Mr. Madhav Kumar Jha, Advocate
For the State	:	Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 27-08-2019

Heard learned counsel for the petitioner and learned counsel for the opposite parties.

2. The petitioner has moved the Court under Section 19 (4) of The Family Courts Act, 1984 against the judgment and order dated 12.12.2017 passed by the learned Principal Judge, Family Court, Purnea in Maintenance Case No. 260 of 2012/CIS No. 0000264 of 2013 by which the opposite party no. 2 has been directed to pay monthly maintenance of Rs. 4,000/- to the petitioner.



3. The petitioner had filed the maintenance case under Section 125 of the Code of Criminal Procedure, 1973 praying for monthly maintenance of Rs. 5,000/- per month.

4. At the very outset, learned counsel for the parties informed the Court that the petitioner is earning Rs. 19,000/- per month and he is amenable to pay Rs. 5,000/- per month to the petitioner.

5. Having regard to the aforesaid, the application stands disposed off modifying the order impugned to the extent that the amount of Rs. 4,000/- per month maintenance stands revised in favour of the petitioner to Rs. 5,000/- per month. However, in terms of the order impugned the opposite party shall be liable to pay only Rs. 4,000/- per month till August, 2019 and from September, 2019, the amount shall stand enhanced to Rs. 5,000/- per month.

6. It is clarified that since the order has been passed with consent of the parties, the Court has not gone into the merits of the matter.

7. It goes without saying that the amount of Rs. 4,000/- till August, 2019, if already not paid, shall be paid within three months, along with the current payment from the month of



September, 2019 at the rate of Rs. 5,000/-, which shall be paid by the 15th of the following months.

8. The Lower Courts records be returned forthwith.

(Ahsanuddin Amanullah, J.)

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