

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No. 202 of 2018
Arising out of
Miscellaneous Appeal No. 173 of 2017

Arising Out of Maintenance Case No.- 23 Year- 2011 Thana- District-

=====

Amlesh Singh @ Amresh Singh @ Amresh Kumar, Son of Late Baleshwar Singh, Resident of Village- Koshala, P.S. Nardiganj, District-Nawada.

... .. Petitioner/s

Versus

Smt. Vibha Devi, Wife of Amlesh Singh @ Amresh Singh, Resident of Village- Kshala, P.S. Nardiganj, District- Nawada. At present Resident of Village- Handia, P.S. Nardiganj, District- Nawada.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar, Advocate
For the Opposite Party/s	:	None
For the State	:	Mr. Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 13-09-2019

Heard learned counsel for the petitioner.

2. The petitioner has moved the Court under Section 19(4) of the Family Courts Act, 1984, against the order dated 25.01.2017, passed by the Principal Judge, Family Court, Nawada in Misc. Case (Maintenance) No. 23 of 2011, by which the opposite party, who is his wife, has been awarded monthly maintenance of Rs. 3,000/-.

3. Learned counsel for the petitioner submitted that he is a poor landless person and cannot afford the amount. It was further submitted that the petitioner does agriculture work after



taking land on *batai* system. Learned counsel submitted that it was the opposite party, who had forced him to marry second time under the threat of committing suicide.

4. Having considered the matter, the Court finds the order dated 25.01.2017 to be just and proper. The judgment is well considered and even with regard to quantum, it cannot be said that the same is either unreasonable or exorbitant even if it is taken on the basis of what the petitioner would earn as a daily wager, which also would easily enable the petitioner comply with such payment to the opposite party.

5. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

