

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.386 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Madhepura

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Gorelal Tudu son of Late Baidyanath Tudu, Resident of Village- Haripur Tinkonma, Post Office- Haripur Kala, Police Station- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Phool Devi @ Waha Devi, Wife of Gorelal Tudu.
3. Parmanand Tudu, Son of Gorelal Tudu. Opposite Party No. 2 and 3 are Residents of Village- Haripur Tinkonma, Post Office- Haripur Kala, Police Station- Murliganj, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv
For the Respondent/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

Date : 22-01-2019

Heard parties.

2. This criminal revision application has been filed against the judgment and order dated 16.02.2018 passed by the learned Principal Judge, Family Court, Madhepura in Miscellaneous(Maintenance Case No. 1 of 2014) by which maintenance granted in favour of Opposite Party No. 2 in Miscellaneous Case No. 16 of 2009 as Rs. 2500/- has been enhanced to Rs. 3200/- per month from the date of order that is 16-2-2018.

3. The marriage of petitioner was solemnized with Opposite Party No. 2 in the year 1969 and from the wedlock



three daughters and two sons were born, among whom, all are married except Opposite Party No. 3 Parmanand Tudu, who is suffering from mental disorder and needs medical care and special attention. Petitioner has ousted Opposite Party No. 2 and started living with one Meena Devi from 1994 and for which Opposite Party No. 2 had filed a case for maintenance and by order dated 06.04.2009, the court has granted maintenance of Rs. 2500/- to be paid by the petitioner to Opposite Party No. 2 and since thereafter same was being paid to Opposite Party No. 2 but in the changed scenario when the income of petitioner is enhanced and liability and burden of Opposite Party No. 2 and 3 has increased, she has filed the present case for enhancement of maintenance along with disabled son. Petitioner has since retired and getting pension and has substantial income from agriculture also.

4. The Family Court after considering, the rival contention of the parties and appreciating the evidence on record, has found Opposite Party No. 2 entitled for enhancement of maintenance and accordingly enhanced the maintenance amount from Rs. 2500/- to Rs. 3200/- per month from the date of order.

5. After going through the order passed by the



Principal Judge, Family Court, this court does not find any irregularity or illegality in the order dated 16.02.2018, passed by the learned Principal Judge, Family Court, Madhepura in Miscellaneous (Maintenance) Case No. 1 of 2014 and accordingly the criminal revision petition is dismissed.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.1.2019
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