

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.363 of 2015

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Mantu Paswan Son of Sidheshwar Paswan resident of village - Paparnausa,
P.O. Nari, P.S. Noorsarai, District – Nalanda.

... .. (Opposite Party)... .. Petitioner.
Versus

1. Baby Devi wife of Mantu Paswan.
2. Ganesh Kumar Son of Mantu Paswan.
Both residents of Paparnausa, P.S. Noorsarai, District - Nalanda at Present
C/o Ram Chandra Paswan residents of Kamruddinganj, P.S. Laheri, Distt. -
Nalanda.

... .. (Applicants)... .. Opposite Parties.

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Appearance :

For the Petitioners	:	Mr. Satya Ranjan Sinha, Advocate. Ms. Seema Kumari, Advocate.
For the Opposite Parties	:	Mr. Pankaj Kumar, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL JUDGMENT

Date : 28-06-2019

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

2. With the consent of the learned counsel for the
petitioner and the learned counsel for the opposite parties, this
criminal revision is being disposed of at the stage of admission
itself.

3. This Criminal Revision is directed against the order
dated 24.03.2015 passed in Maintenance Case No.76-M of
2010, by which and whereunder the Principal Judge, Family
Court, Nalanda at Biharsharif, allowed the application of the



opposite parties filed under Section 125 of the Code of Criminal Procedure with a direction to the petitioner to pay Rs.2500/- per month to his wife (opposite party no.1) and Rs.2500/- per month to his son (opposite party no.2) for their maintenance.

4. Learned counsel for the petitioner submits that, admittedly, the petitioner is the husband of the opposite party no.1 and the father of the opposite party no.2. The petitioner is a Rickshaw puller and used to earn hardly Rs.6000/- per month and he is living along with his parents, who are also dependent upon the petitioner, due to that reason, the petitioner is not able to pay Rs.2500/- per month to his wife (opposite party no.1) and Rs.2500/- per month to his son (opposite party no.2) as maintenance. The petitioner hardly may pay Rs.1500/- per month to the opposite party no.1 and to the opposite party no.2 each for their maintenance.

5. Learned counsel for the opposite parties submits that the opposite party nos.1 and 2 are ready to receive Rs.1500/- per month each, subject to payment of arrear of payment at the rate of Rs.3000/- per month to them from the date of passing of the impugned order dated 24.03.2015.

6. In view of the aforesaid submissions of the learned counsel for the petitioner and the learned counsel for the



opposite parties, the petitioner is directed to pay Rs.1500/- per month to the opposite party no.1 and the opposite party no.2 each and also pay the arrears at the rate of of Rs.3000/- per month to the opposite party no.1 and the opposite party no.2 in six installments within one year.

7. With the aforesaid modification in the impugned order, this Criminal Revision Stands disposed of.

(Rajendra Kumar Mishra, J)

Pradeep Srivastava/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.07.2019.
Transmission Date	01.07.2019.

