

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1546 of 2019**

Ramesh Chandra Pravakar, Son of Late Asharfi Sah, Resident of Village and
P.O.- Balahiyan, P.S.- Dariyani Chapra, District- Sheohar.

... .. Appellant/s

Versus

Smriti Sourabh, W/o Ramesh Chandra Pravakar and D/o Dhruv Kumar, at
present Resident of Opposite D.N. High School, Daldali Bazar, Gola Road,
Muzaffarpur PIN 842001.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manendra Kumar Sinha
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

14-11-2019 The present petition has been filed for the following
relief, as formulated by the petitioner:-

*“i. For issuance of an appropriate writ for
quashing the order dated 01.07.2019 passed by
the learned Principal Judge, family court,
Muzaffarpur in Matrimonial (divorce) Case
No. 308/2010/358/2013 whereby the learned
judge has rejected the petition dated 15.12.2017
for recall of earlier order dated 21.04.2011
under which the interim maintenance has been
granted to the respondent wife u/s 24 of Hindu
Marriage Act ignoring this fact that she is now
Govt. Servant and earning lady and liable to*



maintain herself very well.”

2. It is submitted that the learned Principal Judge has acted contrary to Section 24 of the Hindu Marriage Act, 1955 (hereinafter to be referred to as ‘the Act’) in not recalling the earlier order dated 21.04.2011, passed under Section 24 of the Act in terms of which Rs. 6000/- had been awarded by way of maintenance to the opposite party for herself and her daughter. It is submitted that the opposite party had since started working as teacher on contract basis in a middle school since the year 2013 and had independent salary of Rs. 13,503/- per month and as such the petitioner was no longer required to make payment of maintenance in terms of Section 24 of the Act.

3. A perusal of the impugned order discloses that the petitioner is a Scientist earning more than Rs. 90,000/- per month which fact is not in dispute. The learned Principal Judge has duly taken note of the fact that the opposite party was employed as teacher on contract basis in the year 2013 having independent source of income of Rs. 13,503/- per month. It has therefore been observed that the opposite party and her daughter were entitled to be maintained in accordance with the status of the applicant.

4. It is well-settled that supervisory jurisdiction of this



Court cannot be equated with appellate or revisional jurisdiction.

5. Learned counsel for the petitioner has not been able to satisfy this Court that the impugned order suffers from any vice calling for interference under Article 227 of the Constitution of India.

6. The petition accordingly stands dismissed.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	N/A
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