

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.24 of 2020**

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Dr. Satendra Kumar Srivastava Son of Late Dina Nath Prasad Sinha
Resident of Mohni Gali, Mangal Market, Patna, House of Raja Prasad, P.S.-
Hawai Adda, Patna, District-Patna.

... .. Petitioner

Versus

Madhu Kumari @ Madhu Srivastava D/o Late Kmoal Lal, Resident of
Village-Chhoti Kopa, P.S.-Naubatpur, District-Patna.

... .. Respondent

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate.

For the Respondent/s:

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 24-02-2020

The present application has been filed “*for quashing the order dated 27.11.2019 in Matrimonial Case No. 6052 of 2014 by Principal Judge, Family Court, Patna directing the (respondent) petitioner to pay Rs. 20,000/- per month to the (petitioner/wife) respondent pendente lite along with Rs. 40,000/- lump sum as litigation cost (order dated 27.11.2019 contained in Annexure-5).*”

2. Learned counsel for the petitioner submits that the learned court below has arbitrarily awarded Rs. 20,000/- per month as maintenance *pendente lite* along with Rs. 40,000/- litigation cost *lump-sum*. It is submitted that the petitioner has filed Matrimonial Case No. 5475 of 2014 for restitution of conjugal rights but the respondent is unwilling to stay with the petitioner.



3. Having heard learned counsel for the petitioner and on consideration of the materials on record, this Court is not inclined to interfere in the matter. A perusal of the impugned order dated 27.11.2019 discloses that the petitioner has not offered any indication of his own monthly income nor of his wife. The respondent has claimed the income of the petitioner to be Rs. 1,50,000/- per month. The petitioner, on being asked, could not provide any specific details of Ajay Sahay with whom the respondent is alleged to be living.

4. This Court therefore finds no illegality, infirmity or error of jurisdiction in the order of the learned court below. The petition stands dismissed.

(Vikash Jain, J)

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