

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.86 of 2021

Arising Out of PS. Case No.- Year-0 Thana- District- Bhagalpur

MD SALIMUDDIN Son of Md. Kamal Resident of Mohalla- Brahpora
(Jagatpur), P.S.- Ishakchak, P.O. Brahpora, Distt- Bhagalpur.

... .. Petitioner/s

Versus

BIBI RUKSANA D/o Idrish, W/o Md. Salimuddin Resident of Mohalla-
Hussainabad Markazi Tola, P.O. Mirjanhat, P.S.- Mojahidpur, Distt-
Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2021

Re.: I.A. No.1 of 2021

Petitioner has filed the aforesaid interlocutory application for condonation of delay of six months in preferring this revision application.

Heard learned counsel for the petitioner on the aforesaid I.A.

Finding the ground taken by the petitioner in the aforesaid I.A. for condonation of delay made in preferring this revision application sufficient and in the interest of justice, aforesaid delay in preferring this application is hereby condoned and aforesaid I.A. is accordingly allowed.

Re.: I.A. No.2 of 2021



The aforesaid interlocutory application has been filed for stay of Misc. (Execution) Case No.19 of 2020, pending in the Court of Principal Judge, Family Court, Bhagalpur.

It is submitted that after passing the order enhancing the maintenance amount to opposite party no.2, the petitioner has superannuated from the service and now he is getting Rs.15,000/- only as pension and it is not possible for him to pay the enhanced amount of maintenance.

Considering the submission aforesaid, the petitioner is directed to file a modification application on or before 02.12.2021 and appear before the learned Court below to modify the order enhancing the maintenance amount and the learned Court below will pass appropriate order in accordance with law after giving proper opportunity of hearing to him. Till final hearing of the modification application by the learned Court below the order dated 10.03.2021 is stayed.

With the aforesaid observation and direction, I.A. No.2 of 2021 stands disposed.

Cr. Revision No.86 of 2021

After passing the order on I.A. No.2 of 2021, learned counsel for the petitioner very fairly submits that



nothing remains in this revision application to be agitated.

Accordingly, this criminal revision application
stands disposed of.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

