

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1038 of 2018

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Amit Kumar Son of Raj Kumar Bajpayee, Resident of Opposite Reliance
Fresh Deepa Toli, Pundag, P.S.- Pundag, District- Ranchi, Jharkhand.

... .. Petitioner/s

Versus

Shweta Kumari Wife of Amit Kumar, Daughter of Late Madho Narayan
Pathak, Resident of Village- Singhpur, Post- Baulia, P.S.- Nauhatta, District-
Rohtas, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-08-2022 Heard learned Counsel for the petitioner.

The petitioner is aggrieved by the order, dated
23.02.2018, passed, in Matrimonial Case No. 196 of 2016, by
learned Principal Judge, Family Court, Rohtas, at Sasaram,
whereby a sum of Rs. 3,000/- has been awarded pendente lite
maintenance under Section 24 of the Hindu Marriage Act in a
case for restitution of conjugal rights filed by the respondent-
wife.

Learned Counsel for the petitioner submits that the
respondent-wife is in the habit of filing cases inasmuch as for
the maintenance, she has filed another case, being Maintenance
Case No. 15 of 2017 under Section 125 of the Code of Criminal
Procedure, 1973. He next submits that the petitioner has lost his
job due to the stress, which caused to him due to false cases



being filed by his wife.

I have heard learned Counsel for the petitioner and have perused the materials available on record, including the impugned order. It appears that the petitioner-husband has ousted his wife from her matrimonial home, due to which she has been living in her parental home and has also filed a petition for restitution of conjugal rights. The wife has categorically stated that the petitioner is an Area Engineer and has been earning a sum of Rs. 70,000/- per month as salary. Upon query made by this Court from learned Counsel for the petitioner, regarding disclosure of income of the petitioner, he submits that as per his earlier instruction, the petitioner had lost his job, but despite great effort, he could not contact the petitioner. The learned Family Court has awarded a meager amount of Rs. 3,000/- per month as pendente lite maintenance to the respondent-wife.

In view of the aforesaid, I am not inclined to interfere with the impugned order.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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