

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.129 of 2020

=====

Chandra Shekhar Prasad Son of Late Jagannath Sah, Resident of Village-
Chahuta, P.O.- Kamtaul, P.S. Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

Smt. Vidyawati Devi Wife of Sri Chandra Shekhar Prasad, Daughter of Sri
Sita Ram Prasad, Resident of Village- Chahuta, P.O. Kamtaul, P.S. Bisfi,
District- Madhubani. At Present Resident of New Area, Jakkanpur, Near
Machchali Gali, Lalita Bhawan, P.S. Jakkanpur, District- Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.B. J. Jha
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 11-07-2022 Heard learned Counsel for the petitioner.

The petitioner is aggrieved by order, dated
28.08.2019, passed, in Maintenance Case No. 88 (M)/2015, by
learned Additional Principal Judge, Family Court, Patna, by
which a sum of Rs. 5,000/- as interim maintenance and Rs.
10,000/- as litigation cost has been awarded by learned Family
Court to the respondent-wife.

The petitioner is the husband and has challenged the
impugned order on the ground that earlier also, a maintenance
case was filed in which parties had arrived at amicable
settlement and again the present maintenance case has been
filed, in which the learned Family Court has awarded
maintenance and litigation cost to the respondent-wife.



Learned Counsel for the petitioner submits that after the compromise between the parties arrived at in Maintenance Case No. 47(M)/2002, the respondent-wife started living with the petitioner-husband, however, she has again filed the present maintenance case and is living with her son.

Having heard learned Counsel for the petitioner and having gone through the impugned order, it appears that the learned Family Court has arrived at the finding that the petitioner is the retired headmaster and receiving a sum of rs. 35,000/- as pension. In my opinion, the maintenance of Rs. 5,000/- per month awarded by the learned Family Court to respondent-wife is not excessive based upon the finding that the petitioner is getting pension of Rs. 35,000/- per month. Accordingly, I do not find any merit in this application.

This application is, according, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓		
---	---	--	--

