

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CIVIL MISCELLANEOUS JURISDICTION No.358 of 2020**

Sanjay Kumar Son of Mahesh Rai Resident of Village Kharihaniya, P.O.  
Rampur Keshar @ Malahi P.S. Paroo, District Muzaffarpur.

... .. Petitioner/s

Versus

Puja Kumari D/o Awadhesh Rai Resident of Village Jagarnathpur, P.O.  
Kurhani, P.S. Kurhani, District- Muzaffarpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar  
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**

**JUDGMENT AND ORDER**  
**ORAL**

**Date : 07-07-2022**

Heard learned Counsel for the petitioner.

**2.** The petitioner is the husband of the respondent-wife.

He has filed a suit for divorce, being Matrimonial (Divorce) Case No. 474 of 2018, pending before the learned Principal Judge, Family Court, Muzaffarpur. By the order, dated 03.12.2019, the learned Family Court has awarded maintenance pendente lite of Rs. 5,000/- per month and litigation cost of Rs. 2,000/- in favour of the respondent-wife.

**3.** Assailing the impugned order, learned Counsel for the petitioner submits that the petitioner is an unemployed person and does not have any independent source of income. Accordingly, his



submission is that the award of Rs. 7,000/- per month is excessive and the same may be reduced to some extent.

4. Having heard learned Counsel for the petitioner and having gone through the impugned order, it appears that the learned Family Court, upon careful examination of the record, has come to the finding that the petitioner has good immovable and movable property and his income is about Rs. 1,00,000/- per month. The learned Family Court has also come to the finding that the respondent-wife does not have any source of income to maintain herself.

5. In view of the aforesaid finding arrived at by the learned Family Court, I am of the considered opinion that the impugned order of award of pendente lite maintenance and litigation cost is not required to be interfered with.

6. This application is, accordingly, dismissed.

7. There shall be no order as to costs.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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