

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.168 of 2021**

Md. Shahgir Alam Son of Late Jahidur Rahman @ Jahadur Resident of
Village- Basa Gaon, P.S.- Ajam Nagar, District- Katihar

... .. Petitioner/s

Versus

1. Rukhsar Samrin Wife of Md. Shahgir Alam, Daughter of Md. Jahangir,
Resident of village- Baltar, P.S.- Barsoi, District- Katihar
2. Md. Sadan Son of Md. Shahgir Alam (under guardianship of her mother
Rukhsar Samrin), Resident of village- Baltar, P.S.- Barsoi, District- Katihar

... .. Respondent/s

Appearance :

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

For the Respondent/s : Md. Qumrul Hoda, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

3 30-06-2022 Heard learned counsel for the parties.

The petitioner has questioned the validity of the order dated 12.02.2020 passed in Maintenance Case No. 397 of 2018 on the file of the Additional Principal Judge, Family Court, Katihar who has directed the petitioner to pay sum of Rs. 4,000/- (Rupees Four Thousand) per month to the respondents – wife and son.

Perusal of the records, it is evident that petitioner is earning sum of Rs. 10,000/- (Rupees Ten Thousand) per month, therefore, petitioner has not made out a *prima facie* case so as to interfere with the order dated 12.02.2020 in directing the petitioner to pay sum of Rs. 4,000/- (Rupees Four Thousand) per month.



The petitioner is hereby directed to pay arrears of interim maintenance from the month of March 2020 to this day within a period of eight weeks from today.

At this juncture, learned counsel for the petitioner submitted that parties may be directed to appear before the Trial Court in respect of payment of interim maintenance as ordered by Trial Court on 12.02.2020.

Parties are hereby directed to appear before the Trial Court on 25.08.2022 at 3:00 pm. The petitioner shall pay the arrears amount to the respondents on the date and time fixed. Failing with respondents are entitle to further litigation cost of Rs. 10,000/-.

Accordingly, the present petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

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