

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(BEFORE THE RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.1125 of 2018**

Arising Out of PS. Case No.- Year-1111 Thana- District-

Md. Usman Ansari @ Usman Ansari, S/o Md. Riyajuddin Ansari, resident of
village- Baina, P.S.-Pranpur, District-Katihar

... .. Petitioner

Versus

1. The State of Bihar
2. Jahanoor Kghatoon, wife of Md. Usman Ansari @ Usman Ansari, D/o of Abdul Gaffar, village- Baina, P.S.-Pranpur, District-Katihar

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Respondent/s : Mr.Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

By the impugned judgment dated 18.06.2018 passed in Maintenance Case No. 08 of 2014 by learned Principal Judge, Family Court, Katihar, the petitioner has been directed to pay a meager sum of Rs. 2,000/- per month to the applicant-wife. There is a categorical finding that the applicant-wife has no independent source of income. Whereas this petitioner is engaged in business and earns Rs. 1,500/- per day.

This Court has been informed that even this meager amount has not been paid to the applicant-wife.

Learned counsel for the petitioner is unable to raise



any plausible ground so as to interfere with the impugned judgment.

Learned counsel agrees that the amount of maintenance allowed to the applicant-wife is a meager amount.

Since this Court has noticed that this revision application has been filed without there being any plausible ground to assail the impugned judgment and in the name of the pendency of the revision application the petitioner has avoided his responsibility to pay the maintenance to the applicant-wife for more than four years, while dismissing this application, this Court directs the petitioner to pay the entire arrears of maintenance for a cost of Rs. 25,000/- to the applicant-wife within a period of two months from today. He will continue to pay the current maintenance to the applicant-wife and in case the applicant-wife if so advised she may file an appropriate application in the learned court below for enhancement of the maintenance which will be considered after calling upon the petitioner to file an appropriate affidavit in terms of the judgment of the Hon'ble Supreme Court in the case of **Rajnesh versus Neha and another** reported in **(2021) 2 SCC 324**.

Non-compliance of the order shall result in initiation of a contempt proceeding against the petitioner. The Principal



Judge, Family Court, Katihar shall ensure execution of the
impugned judgment as early as possible.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

