

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.17 of 2019**

Arising Out of PS. Case No.- Year-0 Thana- District- Katihar

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MANGAN MANDAL @ GANGA RAM MANDAL S/o Late Ashin Mandal
Resident of village- Pkarriya, P.O. and P.S.- Mansahi, District- Katihar.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Sumitra Devi W/o Mangan Mandal @ Ganga Ram Mandal, Resident of vil-
lage- Pkarriya P.O. and P.S.- Mansahi, District- Katihar, At present address-
F/o Balram Mandal, R/V. Govindpur, P.S.- Manikchak, District. Malda (W.
Bangal.)

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Pawan Kumar Chaurasiya, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 23-09-2022 No one appears for the petitioner.

This revision application has been filed for setting aside the order dated 24.09.2018 passed by learned Principal Judge, Family Court, Kathiar in maintenance case No. 334 of 2015.

By the impugned order, the learned Court below had rejected a petition dated 10.04.2018 filed on behalf of the opposite party – petitioner. It appears on perusal of the impugned order that the learned Principal Judge, Family Court, Kathiar had earlier passed order granting ad interim maintenance on 10.01.2017 by which the opposite party was directed to pay a



sum of Rs.2,000/- per month as maintenance to his minor daughter. It further appears that the said order dated 10.01.2017 has not been challenged and in terms of the order the opposite party – petitioner would be liable to pay Rs.2,000/- per month to opposite party No.2.

It is the case of the petitioner that opposite party No.2 was married to one Tuntun Mandal at the age of 16 years only at the instance of the applicant-wife and her brother-in-law Singh-weshar Mandal.

This Court finds from the impugned order that the maintenance case No. 334 of 2015 is still pending. The contention of the opposite party – petitioner may be considered by the learned Principal Judge, Family Court, Kathiar while taking evidence of the parties.

In case the maintenance case is still pending, it will be open for the petitioner to bring the entire materials to the notice of the learned Court below seeking an appropriate order otherwise he may seek his remedy for alteration or modification of the order passed by the learned Court below, in accordance with law.

In view of the above observations, this Court is not entering into the merit of the case, at this stage.



The revision application is disposed of with the
aforesaid observations.

(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'.

