

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1055 of 2016

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

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Sheo Kamal Singh Son of Late Ram Lochan Singh resident of Village P.O.- Siadih, P.S.- Charpokhari, District- Bhojpur Arrah.

... .. Petitioner

Versus

1. The State of Bihar
2. Parvati Devi W/o Sheo Kamal Singh resident of Village P.O.- Siadih, P.S.- Charpokhari, District- Bhojpur Arrah. at present C/o Binod Sharma, ward no.18, Opposite Arrah Revenue Block Office Northern Side at and P.O. Arrah, District- Bhojpur.

... .. Opposite Parties.

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Anil Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 22-11-2022 No one appears on behalf of the petitioner.

Considering that this revision application is pending since 20.10.2016 and at this stage the petitioner is not putting appearance, in the nature of the case which relates to payment of maintenance to a neglected woman, this Court deems it just and proper to dispose of this application on its own merit.

The petitioner, in this case, is aggrieved by and dissatisfied with the judgment/order dated 23.08.2016 passed by the learned Principal Judge, Family Court, Bhojpur at Arrah in Maintenance (Misc.) Case No. 174/2011. By the impugned judgment, the learned Principal Judge, Family Court has allowed a maintenance of Rs. 4000/- per month to the applicant-wife and a litigation cost of Rs. 10,000/- in lump-sum.



A perusal of the impugned judgment would show that the opposite party-husband had performed a second marriage, though his stand is that he had performed second marriage with consent of the applicant-wife but the same has not been admitted. The opposite party – husband is getting pension amount of Rs. 15,000/- per month. In such circumstance maintenance amount of Rs. 4000/- per month to the applicant-wife and the litigation cost cannot be said to be excessive or disproportionate to the income of the husband.

This Court, therefore, finds no reason to interfere with the impugned judgment.

This Revision Application is dismissed.

This Court finds from the impugned judgment that a maintenance case was filed in the year 2011, in case it is found by the learned court below that the opposite party-husband has not paid the maintenance amount in the name of the pendency of the revision application in this court, the learned court below shall realize the entire outstanding amount together with a cost of Rs. 25,000/- and the same will be made available to the applicant wife as soon as possible.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

