

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.353 of 2018

In

Miscellaneous Appeal No.675 of 2017

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

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Binod Kumar Ray, son of Late Ramanand Ray, vill – Khaira Bhatbigha, P.S. -
Tekari, District – Gaya.

... .. Petitioner

Versus

Bisudhhi Rani wife of Binod Kumar Ray, present R/O – Lal Chow, Sonar
Patti, Nawada.

... .. Respondent

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Appearance :

For the Petitioner/s : Mr.Amarendra Kumar Mishra, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

10 08-09-2022 Heard learned counsel for the petitioner.

This revision application has been filed for setting-
aside the order dated 26.09.2016 in maintenance case no.
01/2011 passed by learned Principal Judge, Family Court,
Nawada wherein learned court below has passed the final order
and has extended the monthly maintenance amount of Rs. 800/-
to Rs. 3000/-.

By the impugned judgment, the learned court below
has after considering the entire materials on the record found
that the petitioner should pay a sum of Rs. 3000/- per month to
his wife towards her maintenance.

This Court has noticed the reasonings provided in
paragraph ‘11’ of the impugned order. The learned court below



has found that the petitioner is mentally and physically fit person and has performed a second marriage. The applicant-wife has adduced evidence to show that the petitioner has performed second marriage and he runs a business of decoration.

This Court finds that now-a-days even an unskilled labourer earns at least Rs. 400/- per day, under these circumstances, no unreasonableness or arbitrariness may be found in directing the petitioner to pay a sum of Rs. 3000/- per month to the applicant-wife.

Since the petitioner is paying at least Rs. 800/- per month, this Court is not imposing any cost upon him, but the Court directs that the petitioner shall pay the entire arrears within a period of six (6) months from today. The learned court below shall fix the installment for the said purpose. He will continue to pay the current maintenance in terms of the impugned judgment.

The learned Principal Judge, Family Court, Nawada shall execute the judgment expeditiously.

This Revision Application is dismissed.

(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'.

