

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.588 of 2018

14

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

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Mukesh Kumar Singh Son of Late Abinash Chandra Singh, Resident of Village+P.O.- Mahmada Panchayat- Harpur Mahmada, P.S. Pusa, District-Samastipur presently J.R.A., Department of Agronomy, D.R.P.C.A.U. Pusa, Samastipur.

... .. Petitioner

Versus

1. The State Of Bihar
2. Nishi Rani, D/o Late Kamata Prasad Singh @ Most. Nirmala Sinha, Resident of Mohalla- Panchwati Colony, Radha Bhawan, Behind M.P.S. Science College, Khabra, P.S. Sadar, District- Muzaffarpur.
3. Yash Kumar, Son of Mukesh Kumar Singh, Resident of Mohalla- Panchwati Colony, Radha Bhawan, Behind M.P.S. Science College, Khabra, P.S. Sadar, District- Muzaffarpur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

For the Respondent/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 01-08-2022 Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner is aggrieved by and dissatisfied with the order dated 09.03.2018 passed in Miscellaneous Case No. 69 of 2016 by learned Principal Judge, Family Court, Muzaffarpur.14

By the impugned order, learned Principal Judge has enhanced the maintenance amount of the wife-O.P. No. 2 from Rs.7,000/- per month to Rs.10,000/- per month.

The facts of the case would reveal that earlier in the



Matrimonial Case No. 13 of 2004, the petitioner was directed to pay Rs.5,000/- per month to the applicant-wife towards her maintenance. Thereafter she filed a Miscellaneous Case No. 14 of 2012 for enhancement which was rejected by the learned court below on 19.03.2013 but when the wife approached this Court in Miscellaneous Appeal No. 263 of 2013, the husband agreed before this Court to pay a sum of Rs.7,000/- per month to his wife from the month of March, 2015.

The learned court below has recorded that the salary of the petitioner has gone on to become double. His gross salary in September, 2016 was found at Rs.60,852/-. It has been recorded that this Agriculture University where the petitioner is engaged is a Central University and now 7th Pay Commission Recommendation is also enforced so certainly his salary would have been enhanced further by 18% to 20%.

Considering all these aspects of the matter, learned Principal Judge has enhanced the maintenance amount from Rs.7,000/- per month to Rs.10,000/- per month.

In course of hearing, learned counsel for the petitioner could not demonstrate any illegality or infirmity in the impugned judgment.



To this Court, it is crystal clear that enhancement of the maintenance amount is within a reasonable limit. This Court, therefore, finds no reason to interfere with the impugned judgment.

This revision application is dismissed.

(Rajeev Ranjan Prasad, J)

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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'.

