

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.740 of 2018

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

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Bikash Ajmera @ Bikash Ajmera Jain, Son of Late Shanti Lal Ajmera @ Jain
@ Stabti Lal Ajmera, Resident of Dharamshala Road, P.O. and P.S.-
Kishanganj, District- Kishanganj, Bihar.

... .. Petitioner

Versus

1. The State of Bihar
2. Smt. Sumita Ajmera Jain, Wife of Shri Bikash Ajmera @ Bikash Ajmera Jain, Resident of Dharamshala Road, P.O. and P.S.- Kishanganj, District- Kishanganj, Bihar.

... .. Respondent

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Appearance :

For the Petitioner/s	:	Mr.Kumar Ravish, Advocate
For the Respondent/s	:	Mr.Akhileshwar Dayal, A.P.P.
For the O.P. No. 2	:	Mr. Rajnish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 4 21-07-2022 Learned counsel for the petitioner has informed this Court that the petitioner has been complying the interim order dated 21.08.2018 by paying a sum of Rs. 5,000/- per month to the opposite party no. 2. Learned counsel submits that earlier when he had filed the revision application, his main grievance was that the arrears of maintenance has been allowed with effect from the date of the application but in view of the recent judgment of the Hon'ble Apex Court in the case of **Rajnesh versus Neha and another** reported in **(2021) 2 SCC 324**, the maintenance would be liable to be paid with effect from the date of the application, therefore, his previous argument is no longer



available to him.

After some arguments, learned counsel for the petitioner seeks permission to withdraw this application.

Learned counsel for the petitioner submits that this Court may grant some indulgence to the petitioner to pay the arrears of the maintenance amount in some installments. The request made on behalf of the petitioner has not been objected to on behalf of the opposite party no. 2.

In such circumstance, this Court directs that while paying the current maintenance amount (Rs. 8,000/-) to the opposite party no. 2 every month, the petitioner shall pay an additional amount of Rs. 3,000/- on account of the arrears of the maintenance and shall submit the proof of such payment in the learned court below.

With the aforesaid observations and modification, this revision application stands disposed of.

(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'.

