

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.730 of 2018

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

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Arun Kumar Singh @ Arun Singh son of Late Rajendra Singh, resident of
Village- Bhadouns, P.S.- Sheikhpura (Sirari), District- Sheikhpura.

... .. Petitioner

Versus

1. The State Of Bihar
2. Nirmala Devi, Wife of Arun Kumar Singh alias Arun Singh, Resident of
Village- Bhadouns, P.S.- Sheikhpura (Sirari), District- Sheikhpura.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Kamal Narayan Choubey, Sr. Advocate Mr. Amit Kumar Jha, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the O.P. No. 2	:	Mr. Shree Kant Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 25-07-2022 Heard Mr. Kamal Narayan Choubey, learned Senior

Counsel assisted by Mr. Amit Kumar Jha, learned counsel for
the petitioner and Mr. Shree Kant Pandey, learned counsel for
the O.P. No. 2 as also Mr. Akhileshwar Dayal, learned APP for
the State.

The petitioner in this case is aggrieved by and
dissatisfied with the judgment dated 31.03.2017 passed by
learned Principal Judge, Family Court, Sheikhpura in
Maintenance Case No. 28M of 2011 by which learned court has
allowed maintenance amount of Rs.6,500/- per month to the
O.P. No. 2 from the date of filing of the maintenance petition i.e.
14.10.2011.

After some arguments, learned Senior Counsel for the



petitioner submits that he would not press this application on merit and would be satisfied if this Court grants some liberty to the petitioner to pay the outstanding/arrears amount of maintenance in an installment of Rs.9,000/- per month.

Learned Senior Counsel submits that by the impugned judgment the learned court below has allowed a maintenance allowance of Rs.6,500/- per month with effect with from the date of filing of the maintenance petition i.e. 14.10.2011. The petitioner has paid a sum of Rs.6,66,000/- since only 2012 in the manner provided in the supplementary affidavit, copy of which has been served upon the learned O.P. No. 2 only in course of the day.

It is submitted that now a sum of Rs.1,66,000/- remains arrear which the petitioner shall pay within 9 months in equal installments. Statement to this effect has been made in paragraph '8' of the supplementary affidavit.

Learned Senior Counsel submits that the maintenance shall be paid every month within first seven days of the month in the savings bank account of the O.P. No. 2. The account number is already available with the petitioner.

Learned counsel for the O.P. No. 2 submits that he



would have no objection to the disposal of the present application in the aforesaid terms subject, however, to his submission that the payments claimed by the petitioner in paragraph '6' of the supplementary affidavit shall be subject to conciliation of account at the end of O.P. No. 2 and in case any other or further amount is found payable the same will be brought to the notice of the petitioner for payment.

This revision application is being disposed of taking note of the aforementioned submissions on behalf of the parties which shall form part of the order of this Court.

(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'.

