

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.988 of 2018

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

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Ajay Kumar @ Ajay Kumar Paswan, Son of Chandeshwar Paswan, Resident of Village-Jhapa Simaraha Chaturbhuj, P.S.- Ahiyapur, District-Muzaffarpur

... .. Petitioner

Versus

1. The State of Bihar
2. Anamika Devi, Wife of Ajay Kumar Paswan, Daughter of Yogendra Paswan, Resident of Simaraha Chaturbhuj, P.S.- Ahiyapur, District-Muzaffarpur. Present Address Village-Gobalsahi, P.S.-Sadar, District-Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 22-08-2022 Once again, no one appears on behalf of the petitioner to press this application.

This revision application has been filed in the year 2018. Since no representation is being made on behalf of the petitioner, this Court deems it just and proper to dispose of the present application on the basis of the materials available on the record.

On perusal of the impugned order, it appears that the relationship of the petitioner and the opposite party no. 2 being that of husband and wife respectively is not in dispute. The marriage was solemnized on 26.06.2005. It is alleged that this petitioner ousted the applicant-wife from her matrimonial home



only because she failed to fulfill the demand of dowry. Applicant-wife alleged that she has been neglected, her husband is an employee of C.R.P.F. posted at Assam and his salary is about 15,000/- per month at the relevant time. The application seeking maintenance was filed in the year 2009.

The opposite party-petitioner though contested the case and submitted that the allegation of demand of dowry is not true but in course of evidence the applicant-wife supported her case by producing herself as well as two other witnesses. The Opposite party-petitioner also examined three witnesses.

This Court finds that the learned Principal Judge, Family Court has duly perused the evidences on the record and found that the petitioner has neglected his wife and a minor son. She was living with her minor son at her Naihar after having been ousted from the matrimonial house in the year 2009. The learned court below found that the petitioner is posted in C.R.P.F. and in the year 2015 he was having a salary of Rs. 28,000/- per month but he was not paying any maintenance to his wife and minor son.

In view of the materials on the record, the learned court below has directed the petitioner to pay Rs. 6,000/- per month to the applicant-wife and Rs. 4,000/- per month to his



minor son.

This Court having perused the entire materials on record finds that the petitioner has not raised any ground assailing the findings of the learned Principal Judge, Family Court on the point that the applicant-wife is his legally wedded wife and they had a son born out of the said wedlock. The petitioner does not dispute his posting in C.R.P.F. and the salary which he earns.

In the circumstances, this Court is of the considered opinion that no illegality or infirmity may be found in the impugned judgment. The revision application is disposed of.

The Drawing and Disbursing authority/employer of the petitioner is directed to deduct the maintenance amount payable to the applicant-wife and to the minor son from the salary of the petitioner and remit it to their respective accounts.

Liberty is granted to the opposite party no. 2 to submit a copy of this order to the employer/petitioner for compliance.

(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'.

