

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.619 of 2022**

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Pankaj Kumar Son of Gorelal Mandal, Resident of Village-Jorawardih, P.S.-
Kawakol, District-Nawada. Petitioner/s

Versus

Soni Kumari Wife of Pankaj Kumar, Resident of Village-Jorawardih, P.S.-
Kawakol, District-Nawada, at present C/o Radhe Mahto, Resident of Village-
Jagjivanpur, P.S.-Sarmera, District-Nalanda. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hansraj

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 17-11-2022 Heard learned Counsel for the petitioner.

The petitioner is aggrieved by the order, dated 04.06.2022, passed in Maintenance Case No. 04 of 2021, by which the learned Principal Judge, Family Court, Nalanda, at Biharsharif, has awarded interim maintenance of Rs. 12,000/- to be paid by the petitioner-husband to the respondent-wife, for maintenance of the respondent-wife and her two children.

Learned Counsel for the petitioner submits that the petitioner has not been given adequate opportunity to defend his case before the learned Family Court. He further submits that the petitioner is ready and willing to keep his wife along with him.

The contention of the petitioner that he was not given opportunity to defend himself is not correct on the face of the order sheet, which has been annexed as Annexure-3 to this application and from perusal of the order, dated 06.03.2021, it



appears that the petitioner had appeared on 06.03.2021 and had taken time to file reply to the petition for maintenance filed by the respondent-wife. Further, it transpires from the record that the petitioner is a LOCO Pilot, working in the Railways and the learned Family Court, on the basis of his salary sheet produced in the proceeding, has arrived at the finding that the income of the petitioner from the salary is Rs. 85,566/- per month.

The petitioner has approached this Court against the order of interim maintenance of Rs. 12,000/- per month.

Taking into consideration the salary of the petitioner and the fact that the respondent-wife has to maintain herself and her two children, I do not find any reason to interfere with the impugned order.

This application is, accordingly, dismissed.

However, the learned Principal Judge, Family Court, Nalanda, at Biharsharif, is directed to dispose the maintenance case finally within a period of six month from the date of receipt/production of a copy of this order in accordance with law.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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