

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1012 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- West Champaran

Md. Ayub @ Lالبابو S/o- Late Abdul Ahad Resident of Village- Santpur, P.S.
Nautan, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sayada Begum W/O- Md. Ayub @ Lالبابو D/O- Late Samsul Haque
Resident of Village- Nautanwa, P.S. Shikarpur, District- West Champaran.
3. Sufiya Ayub D/o- Md. Ayub @ Lالبابو Resident of Village- Nautanwa, P.S.
Shikarpur, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Nafisuzzoha, Advocate
For the State	:	Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner submits that so far as the maintenance payable to the applicant-wife is concerned, the petitioner shall pay the same. It is, however his submission that the maintenance allowed to Sufiya Ayub (opposite party no.3) in the learned court below requires modification because she is engaged as a teacher and has sufficient source of income.

Mr. Chandra Sen Prasad Singh, learned APP for the State is present. He submits that if there is any change of circumstance with respect to Sufiya Ayub (opposite party no.3),



the present petitioner may seek his remedy in the learned court below but so far as the maintenance allowed to her till the period she was not in job, the father would be liable to pay the same.

This Court finds force in the submission of learned APP for the State. The petitioner shall comply with the order as regards the maintenance to his wife and minor daughter. He would, however be at liberty to file an application in the learned court below showing the change of circumstance with respect to one of the daughters Sufiya Ayub (opposite party no.3) who has been allowed maintenance of Rs.1500/- per month. If the learned court below is satisfied with the change of circumstance, an appropriate order in accordance with law shall be passed after giving an opportunity of hearing to both the sides.

It goes without saying that so far as maintenance awarded to the wife is concerned, the same must be paid by the petitioner, failing which the learned Principal Judge, Family Court, West Champaran at Bettiah shall execute the same as expeditiously as possible.

The application seeking modification or alteration of the order as regards Sufiya Ayub (opposite party no.3) may be filed within a period of 30 days from today which shall be



decided by the learned court below within a period of three months from the date of filing of the said application.

This application stands disposed of accordingly.

(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'.

