

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1916 of 2018**

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Ajitabh Kumar @ Ajitabh Rai Son of Yogendra Rai Resident of Mohalla-
Yogipur, near Shiv Mandir, P.S.- Patrakar Nagar, District - Patna

... .. Petitioner/s

Versus

Sabita Devi D /0 Sri Harinandan Rai, wife of Sri Ajit Kumar @ Ajitabh Rai,
Resident of village-Khaspur, P.S.-Maner, District-Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. S. K. Lal
Mr.Sahvind Kumar Sharma
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-11-2022

Heard learned Counsel for the petitioner.

The petitioner has filed a divorce case, being Matrimonial Case No. 625 of 2016, against the respondent-wife, in which a petition, under Section 24 of the Hindu Marriage Act was filed by the respondent-wife for maintenance and by order, dated 18.09.2018, the learned Principal Judge, Family Court, Patna, has awarded maintenance of Rs. 4,000/- per month to be paid by the petitioner to his wife during the pendency of the divorce case.

Learned Counsel for the petitioner submits that under Section 24 of the Hindu Marriage Act, the husband is also entitled to be paid compensation, but the learned Principal Judge, Family Court, Patna, without taking into consideration the income of the husband-petitioner has directed him to pay a



sum of Rs. 4,000/- per month as maintenance pendente lite.

From perusal of the impugned order, it transpires that the learned Principal Judge, Family Court, Patna has taken into account the agricultural income of the petitioner of Rs. 1,20,000/- per year and the fact that the respondent is the legally wedded wife of the petitioner, has awarded a sum of Rs. 4,000/- per month, which includes the amount of Rs. 750/-, which is being paid regularly by the petitioner in favour of respondent-wife.

Having heard learned Counsel for the petitioner and taking into consideration the fact that the meager amount of Rs. 4,000/- has been awarded by the learned Principal Judge, Family Court, Patna as maintenance pendente lite in favour of the respondent wife, I do not find any infirmity in the order impugned.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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