

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1240 of 2016

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

Prince Rahul Saxena Son of Krishna Prasad Singh, Resident of village-
Ajaypur, P.S. Noorsarai, District - Nalanda

... .. Petitioner

Versus

1. The State of Bihar
2. Nisha Kumari, W/o Prince Rahul Saxena, D/o Ghanshyam Prasad, Resident
of village - Khidarchak, P.S. Rahui, District - Nalanda

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 24-11-2022 No one appears for the petitioner to press this
application.

This Court has recorded the situation presently prevailing wherein in the old cases of Criminal Revisions, most of the lawyers are not putting their appearance. Reference in this regard may be made to the order dated 24.11.2022 passed by this Court in Criminal Revision No. 1233 of 2016.

For the similar reasons, this Court deems it just and proper to go through the records and dispose it of on its own merit.

By the impugned judgment, the learned Principal Judge, Family Court, Nalanda at Biharsharif has allowed a maintenance amount of Rs. 2,000/- per month to the Opposite Party No. 2. Petitioner has been directed to make payment. It appears that the maintenance case was filed in the year 2012 within a period of 3



years from the date of marriage between the parties.

The case of the applicant-wife in the learned court below was that she had been ousted from her matrimonial house by her husband-petitioner. She had no independent source of income whereas the petitioner works as computer data entry operator.

This Court finds from the impugned order dated 21.11.2014 that while directing the husband to file his show-cause, the learned Principal Judge, Family Court, Nalanda allowed an ad-interim maintenance of Rs. 2,000/- per month only. Instead of paying ad-interim amount of maintenance, the petitioner chose to file the present revision application.

Since the impugned order is an interim order passed by learned Principal Judge, Family Court, Nalanda, a revision against the said order cannot be entertained. It is not maintainable, hence, the revision application is dismissed.

The learned Principal Judge, Family Court, Nalanda shall proceed to execute the interim order dated 21.11.2014 passed in Maintenance Case No. 104(M) of 2012 as expeditiously as possible.

(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'.

