

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL REVISION No.1048 of 2018**

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

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Lorik Singh son of Late Lakhan Yadav, Resident of Village- Kistipur P.S. Karai Pasurai and District- Nalanda.

... .. Petitioner

Versus

Sudama Devi wife of Sri Lorik Singh, Resident of Village- Kistipur P.S. Karai Pasurai and District- Nalanda at present residing in the house of Champa Devi wife of Late Sunil Yadav, Mohalla Dakbungalow Road, Kali Asthan at P.O. and P.S. Hilsa, District- Nalanda.

... .. Respondent

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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 23-09-2022 No one has appeared to press this application on behalf of the petitioner.

On perusal of the impugned order, this Court finds that the marriage between the petitioner and the sole opposite party is admitted. It is alleged that he has neglected his wife and minor daughter and performed second marriage. The evidence of the applicant has been dully supported by other witnesses. He has admitted his second marriage but claims that this was with the consent of the applicant-wife.

The learned Principal Judge, Family Court, Nalanda (Bihar Sharif) has found that because the petitioner who was opposite party in the court below has performed the second marriage and had been indulged in torturing his wife in several



ways, the applicant and her minor daughter have been compelled to live separately in the naihar of the applicant -wife.

On the point of income, it has come that the petitioner was working in Bihar Rajya Jal Parishad and after his retirement he has got a considerable amount of retiral dues and other benefits. He is also getting pension.

Under these circumstances, learned Principal Judge Family Court has awarded a sum of Rs 4,000/- per month to the applicant-wife as maintenance. From the entire discussions in the impugned order, this Court finds that the order is well considered one and no illegality or infirmity may be found with the same. Even otherwise the amount of maintenance is meager sum of Rs.4,000/-.

This revision application is, therefore, dismissed.

In case the petitioner has not paid the maintenance amount as ordered by the learned court below, finding that the maintenance case was lodged in the year 2014 and in such circumstance the petitioner has deprived his wife from getting her maintenance for about 8 years in the name of pendency of the litigation, this Court deems it just and proper to impose a cost of Rs. 25,000/- upon him.

The learned Principal Judge, Family Court, Nalanda



shall examine this aspect and if it is found that he has not paid the maintenance then the cost amount shall be realized together with the arrears and current maintenance as expeditiously as possible.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

