

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.157 of 2017**

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

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Rajiv Chaudhary @ Rajiv Kumar Chaudhary, Son of Ram Narain Chaudhary,
Resident of Village- Maiyeel, Post- Rajassan, P.S.- Bidupur, District- Vaishali.
... .. Petitioner/s

Versus

Rinki Devi, wife of Rajiv Chaudhary alias Rajiv Kumar Chaudhary and
Daughter of Shambhu Chaudhary, Resident of Village- Kanchanpur, Post-
Rajassan, P.S.- Bidupur, District- Vaishali.
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 02-03-2023

I.A. No. 260 of 2017

I.A. No. 260 of 2017 has been filed for condoning the
delay of about one month for filing this revision application.

In view of the reasons assigned in paragraph Nos. 2,
3, 4 and 5 of the limitation petition, the Interlocutory
Application i.e., **I. A. No. 260 of 2017 is allowed** and delay in
filing this revision application is hereby, condoned.

Criminal Revision No. 157 of 2017

This criminal revision application has been filed
against order dated 13.09.2016 passed in Maintenance Case No.
165 of 2011 by the Principal Judge, Family Court, Vaishali at
Hajipur whereby, the learned Principal Judge has directed the
petitioner to pay Rs. 5,000/- (five thousand) per month to the
opposite party (wife of the petitioner) and her child, as



maintenance allowance.

It is submitted by learned counsel for the petitioner that the petitioner has no source of income and he is dependent upon his father. He next submits that the amount of maintenance, has been fixed by the Court below without appreciating the financial condition of the petitioner, as he is not earning so much to pay the maintenance amount so fixed, to the opposite party.

I have carefully perused the impugned order. The monthly maintenance allowance of Rs. 5,000/- (five thousand) per month to opposite party (wife of the petitioner) and her child in this age of high inflation cannot be said to be excessive or onerous.

In such circumstances, I am not inclined to interfere with the impugned order in the background of facts which have been mentioned in the impugned order.

I do not find any merit in this application. This criminal revision application is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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