

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.244 of 2017

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

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Harinandan Prasad Singh @ Harinandan Prasad Mahto S/o Sri Bajrang Prasad Singh R/o Village -- Chakrawa, P.S. - Sakara Maniyari, P.S. - Sakara, Distt - Muzaffarpur, Present Address M 871, 872, Mangolpui, New Delhi - 83.

... .. Petitioner/s

Versus

1. Sunaina Devi W/o Harinandan Prasad Singh @ Harinandan Prasad Mahto
2. Barundev Prasad Singh @ Harswaroop Lal @ Rakesh Kumar S/o Harinandan Prasad Singh @ Harinandan Prasad Mahto R/o Village - Chakrawa, P.S. - Sakara Maniyari, P.S. - Sakara, Distt - Muzaffarpur, present address village Kanu Bishanpur, P.S. - Khanpur, Distt - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2023 Petitioner is aggrieved by order dated 10.11.2016 passed by learned Principal Judge, Family Court, Samastipur in Maintenance Case No. 53 of 2010 whereby petitioner has been directed to pay Rs. 5,000/- (five thousand) per month to opposite party no. 1 (wife of petitioner) and Rs. 2,500/- (two thousand five hundred) per month to opposite party no. 2 (son of petitioner), as maintenance, from the date of filing of petition by opposite party i.e. 28.04.2010.

It is submitted by learned counsel for the petitioner that earlier, the petitioner was paying Rs. 1500/- per month to opposite party no. 1 by order of learned J.M. 1st Class,



Samastipur in Misc. Case No. 49 of 2000. Thereafter, opposite party no. 1 has again filed maintenance case, in which, this petitioner was summoned and during hearing of anticipatory bail petition, the matter was compromised and it was agreed that petitioner will pay Rs. 1750/- per month to opposite party no. 1 and Rs. 1000/- per month for the upkeep of her minor son and as such, there was no occasion for the Court below to enhance the maintenance amount in a fresh maintenance case.

Perusal of paragraph 15 of the impugned order goes to show that the plea raised by the petitioner was duly considered and thereafter, taking into consideration the entire facts and circumstances of the case, the order of maintenance was passed.

In this age of high inflation and high cost of livelihood, the amount, so fixed by the Court below, cannot be said to be excessive or on high side.

In the facts and circumstance of the case, as mentioned in the impugned order, I do not find any error in the impugned order and this criminal revision application is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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