

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.446 of 2017

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

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Basant Kumar son of Harishankar Tiwari, resident of Mohalla – Belisarai, Motihari, P.O. - Motihari, Police Station – Motihari Town, District – East Champaran.

... .. Petitioner/s

Versus

Kumari Sidhi, wife of Basant Kumar, Daughter of Braj Narayan Shukla, resident of Mohalla – Belisarai, Motihari, P.O. - Motihari, Police Station – Motihari Town, District – East Champaran.

At present – Village – Narayanpur, P.O. - Narainpur, Police Station – Patkhauli, Bagaha-2, Distrit – West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-02-2023 This criminal revision application has been filed against order dated 19.01.2017 passed by learned Principal Judge, Family Court, Bettiah, West Champaran in Matrimonial Case No. 104 of 2016 whereby the learned Principal Judge has allowed the petition filed by opposite party under Section 24 of the Hindu Marriage Act and directed the petitioner to pay Rs. 3,000/- (three thousand) per month as maintenance and Rs. 300/- (three hundred) as litigation cost to opposite party, who is wife of petitioner, from the date of filing of this petition i.e. 30.11.2015. The amount, so fixed by the Court below, was directed to be paid on last date of every month.



Learned counsel appearing on behalf of petitioner submits that at the time of passing impugned order, the learned Court below has failed to appreciate that the petitioner has not been given proper opportunity to file his response to the petition dated 30.11.2015. He next submits that learned Court below committed an error by not assessing correct income of the petitioner. He lastly submits that the petitioner is not in a position to pay such maintenance amount, so fixed by the learned Court below.

From perusal of paragraph - 2 of the impugned order, it is apparent that the petitioner had filed objection petition, which was considered by the learned Court below.

Having gone through the impugned order, it is apparent that the learned Court below, after taking into consideration the entire materials, has fixed the amount of maintenance. In this age of high inflation, the maintenance amount of Rs. 3,000/- (three thousand) per month and litigation cost of Rs. 300/- (three hundred), as fixed by the learned Court below, cannot be said to be excessive. I do not find any illegality or perversity in the impugned order, which requires any interference by this Court.

Accordingly, this criminal revision application stands



dismissed.

(Prabhat Kumar Singh, J)

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