

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.175 of 2017

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

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Niranjana Devi W/o Sri Mukesh Rai and D/o Jaleshwar Prasad, Resident of Vill.- Chhapra Aas, P.S.- Paru, District- Muzaffarpur and At present tenant of Poshan Mahto, Mohalla- Banarash Bank Chowk, P.S.- Town, District- Muzaffarpur.

... .. Petitioner

Versus

1. State Of Bihar and
2. Mukesh Rai, S/o Ram Deo Rai, Resident of Mohalla- Lalu Chhapra, P.S. Paru, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Respondent/s : Mr. Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-02-2023 This criminal revision application has been filed against order dated 22.11.2016 passed by learned Principal Judge, Family Court, Muzaffarpur in Maintenance Case No. 49 of 2009, by which the Principal Judge has directed opposite party no.2 to pay 20% of his take home salary to the petitioner as maintenance.

Learned counsel for the petitioner submits that in the instant revision application, petitioner has prayed for revaluation of the maintenance amount from 20% to 40% of the financial and economic strength of opposite party no.2. Ground for revaluation is that the petitioner resides at her parental house with children and parents. Petitioner and her parents are poor



and unable to maintain the family as there is no other source of income.

It is the admission of opposite party no.2, recorded in the impugned order itself, that he is Chaukidar getting salary of Rs.18,000/- per month and he has to maintain his old ailing parents and his minor brother and sisters. Moreover, petitioner is not living at her parental home rather she resides with her second husband on rent in Muzaffarpur.

On careful consideration of the impugned order, I do not find that the quantum of monthly maintenance, fixed by the learned Court below to be given to the petitioner by opposite party no.2, can be said to be on lower side. Thus, I do not find any illegality or irregularity 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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