

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.49 of 2017

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

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Manaur Sain S/o Usman Sain, R/ Village Jaitpur, P.S. Daudpur, Distt.- Saran.

... .. Petitioner/s

Versus

Jubaida Begum W/o Manaur Sain D/o Rajak Sain, At present R/o Village Kauru Dhavaru, P.S. Manjhi, Distt. Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-02-2023 This criminal revision application has been filed on behalf of petitioner against the order dated 30.01.2015 passed in Maintenance Case No. 39 of 2009 by the learned Principal Judge, Family Court, Saran at Chapra.

The petitioner is husband of opposite party No. 2. By an order dated 30.01.2015 passed in Maintenance Case No. 39 of 2009 by the learned Principal Judge, Family Court, Saran at Chapra, the petitioner has been asked to pay monthly maintenance allowance at the rate of Rs. 4000/- (Rs. 2000/- as enhanced maintenance) per month to opposite party No. 2.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is a labourer and used to earn Rs. 100/- per day as daily wage and he is unable to pay monthly maintenance allowance at the rate as directed by the court



below. The learned lower court has not considered the deposition of Opposite Party in which she has stated that her husband (petitioner) has deposited Rs. 55,000/- in Sahara India in the name of Opposite Party.

Having gone through the impugned order this court does not find any irregularity or illegality in the impugned order. The court below after taking into consideration the evidence on record has recorded the findings. The monthly maintenance allowance of Rs. 4000/- (Rs. 2000/- as enhanced maintenance) per month cannot be said to be excessive. In such circumstance, I am not inclined to interfere with the impugned order in the background of the facts, which have been mentioned in the impugned order.

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

(Prabhat Kumar Singh, J)

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