

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.10 of 2017

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

Abdul Basir, Son of Abdul Manan, Resident of Village-Basmatia Tola
Babuan, P.O.-Basmatia, P.S.-Ghurna Narpatganj, District-Araria

... .. Petitioner/s

Versus

1. Bibi Hasina Bano @ Bibi Sashina Bano @ Bibi Hasina, D/o Akhtar Alam, Wife of Abdul Basir, resident of Babuan Jahadi Tola, P.O.-Basmatia, P.S.-Ghurna Narpatganj, District-Araria Tola, P.O.-Basmatia,, P.S.-Ghurna Narpatganj, District-Araria
2. Nasir Alam
3. Taupika Praveen
4. Sumaiya Praveen
5. Saddam Hussain
6. Janbir Alam, O.P. No. 2 to 6 are minor Sons and minor Daughter of Abdul Basir and Bibi Hasina Bano, represented th all are resident of Babuna Jahadi Tola, P.O.-Basmatia, P.S.-Ghurna Narpatganj, District-Araria

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Respondent/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-02-2023

I. A. No. 12 of 2017

This Interlocutory Application No. 12 of 2017 has been filed for condonation of delay in filing the instant criminal revision application.

In view of the reasons assigned in the interlocutory application, this Interlocutory Application No. 12 of 2017 is allowed and delay in filing the application is condoned.



Criminal Revision No. 10 of 2017

This criminal revision application has been filed against order dated 21.05.2016 passed by the Principal Judge, Family Court, Araria in Maintenance Case No. 156 of 2012, Trial No. 212 of 2014 whereby, the learned Principal Judge has directed the petitioner to pay Rs. 5,000/- per month to opposite party No. 1 (wife of the petitioner) as well as opposite party Nos. 2 to 6 (children of the petitioner) as maintenance allowance from the date of order by 10th of each successive month.

It is submitted by learned counsel for the petitioner that the petitioner works as a labour and as he is not earning enough, he is not in a financial position to pay the maintenance allowance as directed by the Court below.

I have carefully perused the impugned order. The monthly maintenance allowance of Rs. 5,000/- per month to opposite party No. 1 (wife of the petitioner) as well as opposite party Nos. 2 to 6 (children of the petitioner), in this age of high inflation cannot be said to be on higher side or excessive.

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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