

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.325 of 2017

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

Md. Rahat Alam S/o Md. Noor Islam, Resident of Village- Majrahi, P.S.- Aazamnagar, District- Katihar. at present- P.A.D./NDZ, 203 B Wing, 2nd Floor, I.P. Bhawan, I.T.O., I.P. State, New Delhi- 110002.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Heena Kauser, D/o Mohsin Akhtar, W/o Md. Rahat Alam, Resident of Village- Sitalmani, P.S.- Aazamnagar, District- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghvendra Kumar Singh, Adv.
For the State	:	Mr. Ahtash Ali Khan, APP.
For the O. P. No.2	:	Mr. Md. Musowir, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 17-03-2023

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the opposite party No.2.

The present Cr. Revision Application has been filed against the judgment and order dated 14.02.2017 passed in Maintenance Case No. 272 of 2012 by the Additional Principal Judge, Family Court, Katihar, who has directed to pay Rs.15,000/- per month as a maintenance and Rs.50,000/- for the expense of case and treatment of his son.

Learned counsel for the petitioner submits that he is not raising the question of legality, propriety and correctness, he is only submitting that petitioner is a government employee and he is continuously obeying the order of court and payment is being

received by opposite party No.2 in her account through office process. He only submits and attach Annexure-2, by which, it is clear that the net payable amount is Rs.26,231/- and Court has directed to pay Rs.15,000/-, therefore, he seeks that the case of petitioner be considered kindly and the amount may be reduced.

Learned counsel for the opposite party no.2 submits that opposite party no.2 is receiving continuous payment but he also submits that during the pendency of present Cr. Revision Application, opposite party no.2 filed the petition for enhancement of maintenance before the Principal Judge, Family Court and the amount was enhanced from Rs.15,000/- to Rs.18,000/- vide order dated 28.10.2021. He also submits that the salary of petitioner is enhanced at present and he is getting Rs.64,394/- per month.

In the facts and circumstances and the development of this case, I am not inclined to interfere in the order passed by Additional Principal Judge, Family Court, Katihar, therefore, this Cr. Revision Application is hereby dismissed.

(Dr. Anshuman, J.)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	