

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.951 of 2016

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

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Santosh Kumar, S/o Shivajee Das, Resident of Village- Malikaur, P.S.- Pusha,
District- Samastipur.

... .. Petitioner/s

Versus

Jyoti Kumari, W/o Santosh Kumar, Resident of Village- Malikaur, P.S.-
Pusha, District- Samastipur. at present D/o Vishandeo Das, Resident of
Village Shahpur Undi, P.S.- Patori, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Respondent/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-02-2023 This criminal revision application has been filed

against order dated 05.01.2016 passed by the Principal Judge,

Family Court, Samastipur in Maintenance Case No. 2 of 2014

whereby, the petitioner has been directed to make payment of

Rs. 5,000/- per month to opposite party (wife of the petitioner)

and Rs. 1,000/- to each children namely Divyanshu Raj @

Priyansu Raj and Payal Rani per month as maintenance from the

date of filing of the petitioner i.e., from 06.01.2014.

It is submitted by learned counsel for the petitioner
that the present impugned order is an ex parte order and the
petitioner could not get an opportunity to pursue his case. He
next submits that the petitioner is a casual labour and he is not
in the financial capacity to pay the maintenance amount as



directed by the Court below.

Perusal of the paragraph 5 of the impugned order goes to show that petitioner was noticed and he did appear on 24.12.2014 and thereafter, left pairvi.

I have carefully perused the impugned order. The monthly maintenance allowance of Rs. 5,000/- per month to opposite party (wife of the petitioner) and Rs. 1,000/- to each children namely Divyanshu Raj @ Priyansu Raj and Payal Rani per month in this age of high inflation cannot be said to be on higher side or excessive.

In the backdrop of facts and circumstances of the case as mentioned in the impugned order, I do not find any illegality or irregularity in the impugned order which requires any interference by this Court. Findings arrived at by the Court below are based on evidences available on record.

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

(Prabhat Kumar Singh, J)

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