

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1144 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Vaishali

Sandeep Kumar @ Chitranjan, Son of Sachitanand Thakur @ Sachhidanand Sharma @ Sacchitanande Thakur, Resident of Village and P.O. - Mani Bhakurahar, P.S.- Sarai, District- Vaishali at present Posted on the post of Cook, Master Control Centre, Air Force (MCC, AF), Basant Nagar, New Delhi -110010

... .. Petitioner/s

Versus

Anjali Devi, Wife of Sandeep Kumar @ Chitranjan, Resident of Village and P.O. - Mani Bhakurahar, P.S.- Sarai, District- Vaishali. Present Address - D/O - Arun Kumar, Resident of Village - Parai, P.O. and P.S.- Mahua, District- Vaishali

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Respondent/s : Mr. Ramesh Kumar Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-02-2023 This criminal revision application has been filed against order dated 16.07.2019 passed in Maintenance Case No. 168 of 2016 by the Principal Judge, Family Court, Vaishali at Hajipur whereby, the learned Principal Judge has directed the petitioner to pay Rs. 10,000/- (ten thousand) per month from the date of filing of the case to the opposite party (wife of the petitioner) as maintenance allowance.

It is submitted by learned counsel for the petitioner that the impugned order passed by learned Court below is bad in law as well as on fact. He submits that the impugned order is not



sustainable in the eye of law as the Court below has failed to consider that petitioner is a Class-IV employee working as a Civilian Cook and his earning is not so much as to pay the maintenance allowance so fixed by the Court below. He next submits that the Court below has not considered the evidence produced on behalf of the petitioner in its right perspective.

However, learned counsel for the opposite party opposes the prayer of the petitioner and supports the impugned order.

Perusal of the impugned order goes to show that after taking into consideration the entire material and evidence on record, the impugned order of monthly maintenance allowance has been fixed by the Court below. It is not in dispute that petitioner is working as a Civilian Cook in the Indian Air Force and is drawing handsome salary per month.

In the facts and circumstances as discussed in the impugned order, I do not find any error in the impugned order. The monthly maintenance allowance of Rs. 10,000/- (ten thousand) per month to opposite party (wife of the petitioner) in this age of high inflation cannot be said to be excessive or onerous.

I do not find any merit in this application. This



criminal revision application is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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