

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.97 of 2024**

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

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Arjun Kumar @ Arjun Sharma Son of Gaurishankar Resident of Village-
Bijdhari Mafi, P.S.- Keshariya, Dist.- East Champaran

... .. Petitioner/s

Versus

Kumari Pinki @ Pratima Kumari Wife of Arjun Kumar Resident of Village-
Bijdhari Mafi, P.S.- Keshariya, district- East Champaran. At present
Daughter of Ganesh Sharma, Resident of Village- Balharwa, P.S.-
Piprakothi, Dist.- East Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Respondent/s: Mr.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 12-07-2024

I.A. No. 01 of 2024

The present interlocutory application has been
filed for condonation of delay of 18 days occurred in filing
the revision application preferred by the petitioner.

2. For the reasons mentioned in the application,
this interlocutory application is allowed and the delay of 18
days in filing the revision application is, hereby, condoned.

3. Accordingly, the interlocutory application stands
disposed of.

Cr. Revision No. 97 of 2024

4. Heard on Admission.

5. The present revision application has been filed



by the petitioner being aggrieved with the order dated 13.10.2023 passed by the learned Principal Judge, Family Court, East Champaran at Motihari in Maintenance Case No. 414 of 2019, whereby the Family Court directed the petitioner to pay monthly maintenance of Rs. 5,000/-to opposite party-wife from the date of filing of the case i.e. 16.10.2019.

6. Heard learned counsel for the petitioner and perused the impugned order and also gone through the documents annexed with the petition.

7. Undisputedly, the opposite party herein is the legally wedded wife of the petitioner and residing separately from the petitioner. On the basis of evidence available on record, the learned Family Court arrived at a conclusion that she is residing separately from the petitioner with a reasonable cause and also arrived at a conclusion that opposite party-wife is unable to maintain herself.

8. Perusal of the impugned order shows that at the time of passing of maintenance order, the petitioner was jobless and 4-5 months prior to order, he was in job, meaning thereby, he is capable to do work and he is aged about 30 years. There is no evidence available on record to



show that due to physical and mental disability, he is unable to carry out any profession, therefore, considering all aspects, the learned Family Court rightly directed the petitioner to pay a monthly maintenance of Rs. 5,000/- per month to opposite party-wife

9. Considering the above and the present price index, the maintenance amount of Rs. 5,000/- per month awarded to the opposite party-wife by the learned Family Court appears to be just and proper.

10. Resultantly, this Court does not find any perversity or illegality in the order passed by the learned Principal Judge, Family Court, East Champarn (Motihari), therefore, the present revision petition is dismissed being devoid of merit at the admission stage itself.

(Arvind Singh Chandel , J)

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