

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.232 of 2023

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Anil Kumar Yadav son of Sri Hiralal Yadav, resident of Village Loharpur P.S.
Bhawarkal District Gazipur (U.P.).

... .. Petitioner/s

Versus

Puja Kumari wife of Anil Kumar Yadav, resident of Village Loharpur P.S.
Bhawarkal District Gazipur at present residing at Village Sidha Bandh, P.O.
Sarenja, P.S. Itarhi, District Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-07-2024 Heard learned counsel for the petitioner and I intend
to dispose of the petition at the stage of admission itself.

2. The petitioner is aggrieved by the order dated
01.07.2022 passed by learned Principal Judge, Family Court,
Buxar in Maintenance Case No. 18(M) of 2022 granting interim
maintenance to the tune of Rs.8,000/- to the respondent, who is
wife of the petitioner.

3. Learned counsel for the petitioner submits that the
impugned order has been passed without consideration of the
facts of the case. The learned trial court has not considered the
fact that the petitioner is an unemployed person having no
source of income. It is also not come on the record what is the
income of the respondent-wife and despite these facts, without



assigning reason the learned Family Court has passed the order allowing interim maintenance at the rate of Rs.8,000/- per month to the respondent-wife.

4. On perusal of impugned order, I find that the learned Principal Judge has discussed the admitted fact that the petitioner-husband's monthly expenses are about Rs.20,000/- and also the fact that the petitioner-husband was holding a Master's degree. On consideration of these facts and also the fact that the husband is under legal obligation to maintain his wife, learned trial court has passed the impugned order which, in my opinion, does not require any interference at this stage as it is still an interim order subject to modification at the time of passing of final order.

5. At this stage, learned counsel for the petitioner submits that the talk of compromise is going on between the parties.

6. In the light of aforesaid facts and circumstances, I find no merit in the present case and the impugned order is affirmed.

7. However, learned Principal Judge, Family Court, Buxar is directed to take up the matter and try to dispose of the same within a year from the date of receipt/production of a copy



of this order. It goes without saying that the learned Family Court will make efforts to reconcile the matter between the parties.

8. With the aforesaid observation and direction, the present petition stands disposed of.

(Arun Kumar Jha, J)

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