

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 266 of 2024

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

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Laxman Mukhiya Son of Sheshnath Mukhiya Resident of Village- Parsauni,
Bhawan Mahto Ke Tola, P.O.- Gauripur, P.S.- Balthar, District- West
Champaran

... .. Petitioner/s

Versus

1. Mina Devi Wife of Laxman Mukhiya Resident of Village- Bhabhta, P.S.
Sathi, District- West Champaran
2. RajKumar Son of Laxman Mukhiya through their mother and guardian, O.P.
No. 1 Mina Devi Resident of Village- Verma (Varma), Police Station-
Cherki, District- Gaya
3. Nisha Kumari D/o of Laxman Mukhiya through their mother and guardian,
O.P. No. 1 Mina Devi Resident of Village- Verma (Varma), Police Station-
Cherki, District- Gaya
4. Sannu Kumar Son of Laxman Mukhiya through their mother and guardian,
O.P. No. 1 Mina Devi Resident of Village- Verma (Varma), Police Station-
Cherki, District- Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL JUDGMENT

Date : 03-09-2024

Heard.

2 This revision petition has been preferred by the petitioner being aggrieved with the order dated 30.01.2024 passed by the learned Principal Judge, Family Court, Bettiah in Maintenance Case No 35 of 2015 whereby and whereunder the learned Family Court rejected the application of the petitioner



regarding setting aside the order dated 06.09.2018 passed by the concerned Family Court in the said maintenance case.

3 Perusal of the order dated 06.09.2018 shows that in the said maintenance case after providing several opportunities for appearance of the petitioner herein when he did not turn up then ex parte proceeding was initiated and finally, the learned Family Court passed the order dated 06.09.2018 and directed the petitioner to pay a monthly maintenance of Rs 1,000/- to opposite party No 1 and Rs 500/- per month each to the rest opposite parties, i e, three minor children of Mina Devi. Being aggrieved with the said order, the petitioner filed an application on 26.06.2023 for setting aside the order dated 06.09.2018 on various grounds. The learned Family Court, on the ground that the said application, submitted by the petitioner is time barred and delay has not been duly explained by the petitioner, rejected the application.

4 The finding recorded by the learned Family Court in the order dated 30.01.2024 as well as the order dated 06.09.2018 is based upon the material available on record and also based upon the law governed to the field. Therefore, I do not find any illegality, infirmity or perversity in the impugned orders passed by the learned Family Court.



5 Resultantly, this revision petition is liable to be and is hereby dismissed at the stage of admission itself, having no merit.

(Arvind Singh Chandel, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.09.2024
Transmission Date	06.09.2024

