

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.319 of 2022

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

Sanjay Kumar Pandey Son Of Late Chandra Bhushan Pandey R/O Village-
Amhara, P.S.- Bihta, District- Patna

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Shruti Kumari D/O- Narmadeshwar Dubey R/O Village/Mohalla-B-2 Shanti
Apartment, Bhabha Colony, P.S.- Kankarbag, District- Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Respondent/s : Mr. Anand Mohan Prasad Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

4 30-07-2024

Heard learned counsels for the parties.

2. This Revision Application has been preferred by the petitioner husband being aggrieved with the order dated 07.01.2020 passed by learned Additional Principal Judge, Family Court, Patna in Matrimonial Case No. 754/2017 whereby and whereunder the Family Court allowed the application preferred by the O.P. No.2 wife submitted under Section 24 of the Hindu Marriage Act and directed the petitioner to pay a monthly interim maintenance of Rs. 3,000/- to the O.P. No.2 wife till the decision of the said matrimonial case.

3. Learned counsel for the petitioner submits that petitioner is a handicapped jobless person and also comes under



the B.P.L. (Below Poverty Line) category. Therefore, he is unable to pay any interim maintenance to the O.P. No.2 wife but this fact has not been considered by the learned Family Court.

4. Perusal of the impugned order clearly shows that before the Family Court also, pleading was made by the petitioner that he is a handicapped person but no any documentary evidence has been produced by the petitioner before the Family court nor before this Court though he is a holder of B.P.L Card but the fact remains that at present he is aged about 45 years and he is unable to establish the fact that he is handicapped and due to that he is unable to earn anything. The Family Court granted only Rs. 3,000/- monthly maintenance in favor of the O.P. wife which also appears to be just and proper.

5. I do not find any merit in this Revision Application

6. Accordingly, this Revision Application is dismissed.

(Arvind Singh Chandel , J)

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