

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.511 of 2023

Monajir Hasan Son of Md. Jaeem, Resident of Village- Bhagalpuri Mohalla,
Zero Mile, P.S. - Araria, District - Araria.

... .. Appellant/s

Versus

1. Najish Parween Wife of Monajir Hasan, Daughter of Md. Halimuddin,
Resident of Village - Bhagalpuri Mohalla, Zero Mile, P.S. - Araria, District -
Araria, presently residing at Bhagmohabbat, P.S. - Araria, District - Araria.
2. Md. Apip Alam, Son of Monajir Hasan, Resident of Village - Bhagalpuri
Mohalla, Zero Mile, P.S. - Araria, District - Araria, presently residing at
Bhagmohabbat, P.S. - Araria, District - Araria.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rashid Izhar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 19-01-2024 In the instant Miscellaneous Appeal, appellant has

prayed for the following relief(s):-

“That this memo of appeal is directed against the Judgment and Order, dated 10.05.2023 passed by Ld. Anand Nandan Singh, Principal Judge, Family Court, Araria under Section 125 of Cr.P.C passed in Maintenance Case No. 252 of 2017 whereby the Ld. Court had ordered and directed the Appellant to pay Rs. 8000/- (Rupees Eight Thousand Only) per month to the Opposite Party No. 1 (Wife of the Appellant) and Rs. 4000/- per month to the Opposite Party No. 2 (Son of the Appellant), clearly ignoring the fact that the Opposite Party No. 1 was willfully residing in her



parental home.”

2. Having regard to the nature of impugned order the present Miscellaneous Appeal is not maintainable. Appellant has remedy of filing Criminal Revision. Accordingly, the present Miscellaneous Appeal No. 511 of 2023 stands disposed of as it is not maintainable, reserving liberty to the appellant to prefer criminal revision before the appropriate forum.

3. Registry is hereby directed to return the file on an application made by the appellant counsel.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

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