

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67903 of 2023

In
CRIMINAL REVISION No.973 of 2018

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

=====

Seema Kumari Wife of Deepak Kumar Resident of Village - Sarwa, P.S. -
Barbigaha, District - Sheikhpura, At Present Residing At Village -
Narottampur, P.S. - Kajra, District - Lakhisarai

... .. Petitioner

Versus

1. Deepak Kumar Son of Late Panchanand Singh Resident of Village - Sarwa,
P.S. - Barbigaha, District - Sheikhpura
2. The Commanding Officer, HQ Training Command (U), Air Force, J.C.
Nagar,P.O. - Hebbal, Bangalore Bangalore, Pin Code - 560006

... .. Opposite Parties

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s	:	Mr. Dipak Kumar, Adv.
	:	Mr. Madhuresh Singh, Adv.
	:	Mr. Amritanshu Udbhava, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 05-10-2024 Heard learned counsel for the petitioner and learned
counsel for Opposite Party No. 1.

2. This Court has been informed today by learned
counsel for Opposite Party No. 1 that the payment of
maintenance amount is up-to-date. He has placed before this
Court the xerox copy of the UPI payment transactions in the
month of August, September and October at the rate of
Rs.15,000/- to the petitioner.

3. Learned counsel for the petitioner submits that
although he is not disputing the payments made in the months of
August, September and October but on a calculation of the



entire amount so far paid to the petitioner, it would appear that the payment is less by Rs.33,000/-. His submission is that the Opposite Party No. 1 may be directed to pay the said outstanding amount of Rs.33,000/-.

4. Further submission is to issue a direction to the Opposite Party No. 2 to deduct the maintenance amount from the salary of the Opposite Party No. 1 and remit it directly every month to the petitioner.

5. Having heard learned counsel for the parties, this Court is of the considered opinion that so far as the claim of Rs.33,000/- as outstanding is concerned, the petitioner may bring it to the notice of the learned Principle Judge, Family Court, where the matter is pending. Total calculations shall be made there and in case any arrear is found outstanding and payable to the petitioner, the learned court below shall take appropriate steps in accordance with law to recover the outstanding amount.

6. So far as the direction to Opposite Party No. 2 is concerned, if the Opposite Party No. 1 fails in making payment of the maintenance amount as per the direction of this Court, the petitioner shall bring it to the notice of Opposite Party No. 2 and it will be an obligation of Opposite Party No. 2 i.e the



Commanding Officer, HQ Training Command (U), Air Force, J.C. Nagar,P.O. - Hebbal, Bangalore to verify the grievance of the petitioner and on finding that the maintenance amount has not been paid to the petitioner by O.P. No. 1, the O.P. No. 2 shall deduct the said amount from the salary of the O.P. No. 1 and shall pay the same directly to the petitioner every month.

7. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

priyanka/-

U		T	
---	--	---	--

