

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.830 of 2023

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

Deepak Kumar, S/O Anil Kumar Singh, R/O Village- Tenduni, Ward No. 05,
Anand Nagar Colony, Bikramganj, PS. Bikramganj, Dist. Rohtas.

... .. Petitioner

Versus

Nidhi Singh, W/O Deepak Kumar, D/O Narendra Singh, Resident of Ward
No. 05, Tenduni, Anand Nagar Colony, Bikramganj Inter-College, Police
Station- Bikramganj, Dist. Rohtas, Presently Residing at Village- Baghini, PS.
Mohania, Dist. Kaimur.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 22-01-2024 Heard learned counsel for the petitioner in admission
as well as in the limitation matter

2. I.A. No. 01 of 2024 has been filed seeking
condonation of delay of 70 days in filing of the revision
application. It is stated that the limitation in the matter expired
on 03.10.2023, however, the case has been filed on 12.12.2023.
Learned counsel for the petitioner submits that the petitioner is a
Government Servant in Military and he is posted at border area
at Kashmir due to this reason, the case could not be filed within
time.

3. For the reasons stated in the interlocutory
application, this Court deems it just and proper to condone the
delay. The delay is condones. I.A. No. 01 of 2024 is allowed.

4. On hearing the application on merit, this Court is not persuaded to issue notice to the opposite party for the reason that the petitioner has himself stated in his show cause in paragraph ‘7’ that his salary income is about 60,000/- per month. If this is the stand of the petitioner in the Family Court and then the learned court has awarded a maintenance of Rs.20,000/- per month for the wife and minor son of the petitioner, it comes to only one-third of the salary which the petitioner is earning.

5. By no stretch of imagination, the maintenance awarded to the two members of the family of the petitioner may be said to be excessive.

6. This revision application has no merit, it is dismissed.

(Rajeev Ranjan Prasad, J)

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