

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.2086 of 2017**

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Vijay Tiwary, Son of Late Baban Tiwary, resident of village-Sirni Nayaka
Tola, P.O.-Sirni, Police Station-Malahi, District- East Champaran.

... .. Petitioner/s

Versus

Sandhya Devi, wife of Vijay Tiwary, daughter of Veer Bahadur Pandey,
resident of village+P.O.-Bhatwalia, Police Station-Sangrampur, District-East
Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shamir Mehra, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner.

2. Petitioner is aggrieved by the order dated
08.09.2017 passed in Matrimonial (Divorce) Case No. 238 of
2013 by the learned Principal Judge, Family Court, East
Champaran at Motihari whereby and whereunder the learned
Principal Judge, Family Court, East Champaran directed the
petitioner to pay Rs. 10,000/- to his respondent wife in lump
sum to meet the cost of litigation.

3. Learned counsel for the petitioner submits that the
petitioner is a poor person and he is not in a position to make
payment of Rs. 10,000/- to the respondent wife. Learned
counsel further submits that the petitioner has been making



payment of Rs. 750/- per month to the respondent/wife as maintenance in terms of order dated 29.04.2014 passed in Cr. Misc. No. 9061 of 2014 by a learned Single Judge of this Court. Thus, learned counsel submits that the impugned order is not correct and the same be set aside.

4. Perused the record.

5. Perusal of record shows only challenge to the order dated 08.09.2017 passed in Matrimonial (Divorce) Case No. 238 of 2013 by the learned Principal Judge, Family Court, East Champaran at Motihari is on the ground that the petitioner is a poor person and he is not in a position to make payment, the petitioner husband filed the case for dissolution of marriage and the learned trial court after considering the precarious condition of the respondent wife passed the order which could not be assailed. Hence, I do not find any infirmity in the impugned order and the same is affirmed.

6. Finding no merit in the present petition, the same is dismissed.

(Arun Kumar Jha, J)

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