

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.392 of 2023

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

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Santosh Kumar Son Of Late Braj Nandan Prasad Resident Of Village- Block Road Raxaul, Ps- Raxaul, Distt- East Champaran At Motihari At Present J-8 Gulshan Vatika Near Housing Borad Sejbahar Raipur (CHHATISGARH)

... .. Petitioner/S

Versus

1. Anamika Verma Wife Of Santosh Kumar Resident Of Village- Dharm Samaj Chowk, Ps- Chhatauni, Distt- East Champaran
2. Akshita Srivastava Daughter Of Santosh Kumar Resident Of Village- Dharm Samaj Chowk, Ps- Chhatauni, Distt- East Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pratiyush Kumar, Adv. Mr. Chanchal Goyal, Adv., Mr. Anil Kumar, Adv.
For the O.P.	:	Mr. Pramod Mishra, Adv., Mr. Prasoon Kumar, Adv., Mr. Geeta Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

14 10-04-2025 The petitioner has challenged the quantum of maintenance directed to be paid by the learned Principal Judge, Family Court, East Champaran at Motihari, in Maintenance Case No. 438 of 2019, whereby and whereunder the petitioner was directed to pay Rs. 20,000/- (Twenty thousand) per month in favour of opposite party no. 1 and Rs. 5,000/- (Five thousand) per month in favour of opposite party no. 2, being the minor daughter of the parties.

2. I have heard the learned counsels for the petitioner as well as the opposite parties.



3. It is ascertained from their submissions that opposite party no. 1 is the legal married wife of the petitioner. It is also not in dispute that the petitioner has solemnized a second marriage during the subsistence of his first marriage with the opposite party no. 1. Marriage between the parties were solemnized in the year 2006. The opposite party no. 1 detected petitioner's extra marital affair in the year 2009. The opposite party no. 1 with her daughter started to live separately in a separate house in the same town.

4. It is contended by the learned Advocate on behalf of the petitioner that petitioner maintained matrimonial relationship till 2015, because whenever the opposite party no.1 called the petitioner to attend in any family function, they used to meet together.

5. Be that as it may, at present the opposite party no. 1 has been living separately with her daughter, who is a student of Class-X. In the trial court, the opposite party no. 1 failed to produce any document with regard to the income of the petitioner. In course of hearing of the instant revision, the petitioner himself submitted a supplementary affidavit, on perusal of which, this Court finds that during the Assessment Year 2024-25, total annual income of the petitioner is Rs.



15,87,740/- (Fifteen lakh eighty seven thousand seven hundred and forty).

6. Learned Advocate for the opposite parties has filed a salary slip of the petitioner for the month of September, 2024. On perusal of which, it is ascertained that the petitioner is an employee of Daikin Airconditioning India Private Limited and his gross salary is Rs. 1,24,793/- and net pay is Rs. 100863.

7. The trial court granted Rs. 25,000/- per month towards maintenance allowance for the opposite party nos. 1 and 2. The said amount being 1/4th of the net pay of the petitioner.

8. I do not find any illegality or irregularity in the impugned order. Accordingly, the instant criminal revision is dismissed on contest.

(Bibek Chaudhuri, J)

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