

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.623 of 2024**

Badri Narayan Pandey S/o- Late Jagdish Pandey, R/o Village- Giviya, P.S-
Durgawati, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

Meena Devi W/o- Badri Narayan Pandey, D/o-Late Ram Janam Tiwari, R/o
Village- Giviya, P.S- Durgawati, District- Kaimur at Bhabua. At present R/o
Village- Kuddi, P.S- Chand, District- Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy, Advocate
For the Respondent/s : Mr.Aquaib Khan, Advocate

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

Date : 25-02-2025

Record taken up on mentioning being made on behalf
of the petitioner and I intend to dispose of the present petition at
the stage of admission itself.

2. Heard learned counsel for the petitioner.

3. The petitioner is aggrieved by the order dated
09.04.2024 passed by learned Principal Judge, Family Court,
Kaimur at Bhabhua in Maintenance Case No. 50M of 2023,
whereby and whereunder an amount of Rs. 10,000/- has been
ordered to be paid to the respondent by way of interim
maintenance with effect from the date of application, i.e.,
27.02.2024.

4. Learned counsel for the petitioner submits that the
petitioner is mainly aggrieved by the fact that 4 acres of land of



the petitioner is being cultivated by the respondent with the help of her younger son and this fact has not been taken up for consideration while passing the impugned order. The petitioner is a retired teacher and solely depends on his pension which is Rs.36,000/- per month. The petitioner is aged about 78 years and he has to meet all his expenses from the pension but this fact was also not taken into consideration. Learned counsel further submits that except for pension the petitioner is not having any other income. The petitioner is still ready and willing to keep his wife. In the circumstances, the learned trial court passed the order for grant of interim maintenance of Rs.10,000/- per month which is not stated to be correct and proper.

5. Perused the records.

6. From perusal of the record I find that the learned Principal Judge passed the order of interim maintenance after considering the abovenoted submissions of the petitioner. Admittedly the petitioner has been getting pension of Rs.36,000/- per month and the Maintenance Case No. 50M of 2023 is yet to be finally disposed of. In these circumstances, I do not find any infirmity in the impugned order since the order of interim maintenance has been passed after considering the



rival submission of the parties and this Court would not like to interfere in a routine order in a matter which is still pending before the learned Family Court for final disposal.

7. In the light of the discussion made hereinbefore, I do not find any merit in the present petition and the same is dismissed.

8. However, the learned trial court is directed to expedite the trial and dispose of Maintenance Case No. 50M of 2023 at the earliest.

(Arun Kumar Jha, J)

DKS/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2025
Transmission Date	NA

