

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.727 of 2025**

=====

Kumar Gaurav S/o Kumar Rajnish R/o Ward no. 12, Malipur, Malipur,
Garhpura, Garhpura, District-Begusarai PIN-848204

... .. Petitioner/s

Versus

Abhilasha Kumari W/o - Kumar Gaurav Presently Residing at Pidhouli, P.S.
Teghra, Dist.-Begusarai, PIN-

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Advocate Mr.Pritish Kumar Lal, Advocate
For the Respondent/s	:	Mr.

=====

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

Date : 29-07-2025

Record taken up on mentioning being made on behalf
of the petitioner.

2. Heard learned counsel for the petitioner.

3. The petitioner is aggrieved by the order dated
03.04.2025 passed by learned Principal Judge, Family Court,
Begusarai in Matrimonial Case No. 09 of 2024, whereby and
whereunder the learned trial court has directed the petitioner to
pay Rs. 8,000/- per month as interim maintenance and
Rs.15,000/- as litigation cost to the respondent under Section 24
of the Hindu Marriage Act, 1955.

4. Learned senior counsel for the petitioner submits
that the impugned order is not sustainable as the same has been



passed without recording any finding about the economic status of the petitioner or the respondent. Only finding has been recorded that the respondent is not having any independent source of income to meet her expenses. Further, merely on saying of the respondent that the petitioner is having income of Rs.50,000/- from his job and Rs.50,000/- from other sources, order has been passed. Learned senior further submits that the without proper appreciation of facts and without affording any opportunity to the petitioner to contest the averments of the petition under Section 24 of the Hindu Marriage Act, 1955, the impugned order has been passed.

5. Perused the record.

6. On perusal of the record I find that while passing the order granting ad interim maintenance of Rs. 8,000/- per month and litigation cost of Rs.15,000/- under Section 24 of the Hindu Marriage Act, 1955, the learned Principal Judge, Family Court, Begusarai has not taken into consideration the guidelines issued by the Hon'ble Supreme Court in the case of ***Rajnish Vs. Neha, (2021)2 SCC 324***. Therefore, without going into further details of the case and without issuing any notice to the respondent, the present petition is disposed of with liberty to the petitioner to approach the learned trial court seeking



modification of the impugned order, while furnishing the assets and liability affidavit before the learned trial court, in terms of guidelines issued in ***Rajnesh*** (*supra*).

(Arun Kumar Jha, J)

DKS/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.07.2025
Transmission Date	NA

