

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.821 of 2025

Ravikant Deo S/o Late Ramanand Singh R/o Village- Daulatpur, PS- Bath
PO-Khanpur Mal, Distt. -Bhagalpur, A/P- Qtr. No.-20 A/60, Sixty Set
Officers Flat, Bailey Road, PS-Kotwali, Patna-800001

... .. Petitioner/s

Versus

1. Sandhya Kumari D/o-Sri Ram Govind Pandey R/o-C/o Sri Ram Govind Pandey, Mohalla-Priyadarshi Naga, Near DPS More, West Bailey Road, PS-Rupaspur Distt.-Patna-801503
2. Shailee Shree D/o-Ravikant Deo R/o-C/o Sri Ram Govind Pandey, Mohalla-Priyadarshi Naga, Near DPS More, West Bailey Road, PS-Rupaspur Distt.-Patna-801503

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms.Roona, Advocate
For the Respondent/s	:	Mr. Deovind Kumar Singh, Advocate Mr. Utpal Kant, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 17-07-2025

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

2. Present learned counsel for the petitioner as well as learned counsel for the respondents, who appeared *suo motu* without notice.

3. The petitioner is aggrieved by the order dated 16.05.2023 passed in Maintenance Case No. 285(M)/2017 by learned Additional Principal Judge, Family Court, Patna.

4. Learned counsel for the petitioner submits that petitioner is opposite party in Maintenance Case No. 285(M)/2017 and is husband of respondent no. 1 and respondent no. 2 is the daughter of the petitioner. Learned counsel further submits that in terms of a settlement before State Women



Commission, the petitioner has been making payment of Rs.12,000/- per month to the respondent no. 1 and has also been paying the educational expenses of respondent no. 2 from time to time. These payments are being made voluntarily by the petitioner. Learned counsel further submits that however on application of respondents dated 23.02.2021 for grant of interim maintenance, though the fact was placed before the Court about payment being made by the petitioner to the tune of Rs.12,000/- per month towards maintenance amount and also meeting educational expenses of respondent no. 2, still, the learned trial court ordered the petitioner to make payment of Rs. 17,000/- per month as interim maintenance amount with effect from the date of filing of the application for interim maintenance. The learned trial court further ordered the petitioner to make payment of Rs. 20,000/- as litigation cost. Learned counsel submits that litigation cost has already been paid. However, if the adjustment of Rs.12,000/- is made with effect from the date of filing of the application, the balance amount i.e., Rs.5000/- per month since 23.02.2021 till date comes to Rs. 2,70,000/- and the same shall be paid in two installments. Learned counsel further submits that moreover, the impugned order dated 16.05.2025 is not sustainable for the reason that prior to passing of the order the matter was fixed for furnishing affidavit of asset and liabilities and without



following the guidelines of the Hon'ble Supreme Court in the case of ***Rajnish Vs. Neha & Anr. (Criminal Appeal No. 730 of 2020)*** the order was passed by the learned trial court ignoring the guidelines.

5. The learned counsel appearing on behalf of the respondents submits that there is no infirmity in the impugned order. Learned counsel further submits that the petitioner has not been making payment of educational expenses of respondent no. 2 as claimed by the petitioner. However learned counsel admits that Rs.12,000/- per month is being paid to the respondents by the petitioner and learned counsel further submits that the respondents are agreeable to the proposal that payment of Rs.17,000/- be made with effect from 23.02.2021 till date adjusting the amount of Rs.12000/- already paid by the petitioner. Learned counsel further submits that this amount should be paid in one go considering the fact that the respondent no. 2 has to be admitted in some engineering college and money is required for the said purpose. Learned counsel further submits that the present petition may be disposed of while granting adjustment of Rs.12,000/- being paid but at the same time, he submits that learned trial court be directed to expedite the proceeding and dispose of Maintenance Case No. 285(M)/2017 at the earliest, since matter has been pending since 2017.



6. Having regard to the submission of the learned counsel for the parties regarding offer and counter-offer, the petitioner is directed to make payment of amount of Rs. 2,70,000/- in two installments and 1st installment be paid from 1-5 August, 2025 and 2nd installment from 1-5 September, 2025. The petitioner will continue to make payment of interim maintenance amount of Rs. 17,000/- per month to the respondents from the date of order, i.e., 16.05.2023 till the disposal of the maintenance case and he would also be entitled to adjustment of the amount of Rs.12,000/- being paid by the petitioner. The order dated 16.05.2023 stands modified to the aforesaid extent.

7. Accordingly, without entering into the merits of the case, the present petition stands disposed of.

8. The learned trial court is directed to expedite the proceeding of Maintenance Case No. 285(M)/2017 pending before it and try to dispose it of at the earliest, preferably within six months from the date of receipt/ production of copy of this order.

(Arun Kumar Jha, J)

Anuradha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.07.2025.
Transmission Date	N/A

