

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1050 of 2019

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

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Nandey Chaudhary Son Of Lakhan Chaudhary Resident Of Village-
Chordargah, P.S.- Ariyari, District- Sheikhpura.

... .. Petitioner/s

Versus

Bhagia Devi Wife Of Nandey Chaudhary Daughter Of Late Amrit Chaudhary,
Resident Of Village- Masaurha, P.S.- Ariyari, District- Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rabindra Prasad Singh, Advocate
For the Respondent/s	:	Mr. Bipin Kumar, Advocate
		Ms. Sarita Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

11 07-07-2025 The present criminal revision petition has been preferred against the order dated 14.03.2019 passed by learned Principal Judge, Family Court, Sheikhpura in Misc. Case No. 15 of 2016, whereby learned Principal Judge has refused to recall the order dated 17.07.2017 whereby District Magistrate, Sheikhpura has been directed to realize the arrear of the maintenance from the landed property in the name of father of the petitioner-Nandey Choudhary.

2. Heard both the parties.

3. Learned counsel for the petitioner submits that vide



order dated 17.07.2017, learned Family Court has directed to realize the arrears of the maintenance from the landed property of his father, whereas his father is not a party in the maintenance proceeding nor has he any liability to maintain his daughter-in-law during the life time of the husband of the lady. Hence, the order is bad and liable to be set aside.

4. However, learned counsel for the sole Respondent-Bhagia Devi submits that the present petition is misconceived, because vide order dated 17.07.2017 passed in Misc. Case No. 15 of 2016 by learned Principal Judge, Family Court, the petitioner is not aggrieved and his property is not attached, so he has no cause of action to file the review petition, nor has he any cause of action to file the present revision petition. It is for the father of the petitioner, whose property has been attached by the impugned order, to prefer any proceeding as per law. But this petitioner has no *locus standi* to file the present petition.

5. I agree with the submission of learned counsel for the respondent that petitioner is no way aggrieved, because his property is not attached. It is property of his father, which has been attached.

6. Hence, the present petition is not maintainable for want of any *locus standi*. Petitioner's father has liberty to move



appropriate application.

7. The present petition is dismissed, accordingly.

(Jitendra Kumar, J.)

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