

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3156 of 2018

Arising Out of PS. Case No.- Year-1111 Thana- District-

Munni Choubey wife of Raj Kumar Choudhary D/o Late Upendra Nath Mishra R/o village mahua, Sadapur P.O and P.S. Mahua District Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar Through Collector, Saran

2. Raj Kumar Choubey son of Late Ram Nath Choubey

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ratan Kumar Sinha, Advocate

For the State : Mr. Manoj Kumar, AC to Gp4

For the O.P. No. 2 : Mr. Aashish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 01-08-2025 Present writ application has been filed for issuance of direction upon the respondent No. 2 to comply with the judgment dated 30.01.2016 passed by the learned Principal Judge, Family Court, Saran at Chapra passed in Maintenance Case No. 115 of 2014 whereby and where under the learned Principal Judge, Family Court allowed the maintenance case directing the respondent No. 2 to pay Rs. 35,000/- per month to the petitioner for her maintenance as well as for maintenance and education of her daughter from the date of filing of the maintenance case.

2. Learned counsel for the petitioner submits that despite the orders directing for maintenance to be paid to the petitioner by the O.P. No. 2 the same was not paid and despite several applications before the learned Court below the order



was not implemented and till date she has not been paid a single penny.

3. The learned counsel appearing for the O.P. No. 2 submits that he has preferred a miscellaneous application against the order directing him to pay maintenance.

4. Learned AC to GP 4 has submitted that primarily from the plain reading of the prayer made in the writ application the same does not appear to be maintainable as the petitioner has approached this Court for implementation of the order passed by the learned Principal Judge, Family Court Saran at Chapra.

5. In view of the aforesaid, this application is disposed of with a liberty to the petitioner to approach the learned Court below by filing an application for implementation of the judgment dated 30.01.2016 passed by the learned Principal Judge, Family Court, Saran at Chapra.

6. The present incumbent i.e., the Principal Judge, Family Court, Saran at Chapra shall take into account that the order directing to pay the maintenance to the petitioner was passed way back on 31.01.2016 and as submitted, till date not a single amount has been paid to the petitioner.

7. The learned court below is directed to expedite the



process of execution so that the maintenance directed to be paid to the petitioner be made as early as possible.

8. The application is disposed of.

(Sourendra Pandey, J)

Prakash/-

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