

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.316 of 2025**

**In
Civil Writ Jurisdiction Case No.18367 of 2014**

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Raja Ram Mehta S/o Late Brahamdeo Mehta, Resident of Village - Baliya,
P.S. - Puraini, District- Madhepura.

... .. Petitioner/s

Versus

Manju Devi W/o Rajaram Mehta, D/o Sri Shivnandan Prasad @ Shivnandan
Mahto, Resident of Muhalla - Dakshine Mandiri, Chhatradhari Niwas, Patna,
P.S. Kotwali, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Respondent/s : Mr.Vijay Prakash Bhargava

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**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER**

9 05-02-2026 In compliance of order dated 29.01.2026, both parties
along with their respective counsel have appeared in Chamber
proceedings.

2. The present civil miscellaneous application has
been filed for setting aside the order dated 28.05.2014 passed by
learned Principal Judge Family Court, Patna in Matrimonial
Case No. 698 of 2011 whereby the learned Family Court while
allowing the petition dated 17.11.2011 filed by respondent wife
for grant of maintenance pendente lite under Section 24 of the
Hindu Marriage Act directed the petitioner to pay Rs. 10,000/-
per month to the respondent towards her maintenance pendente
lite from the date of application i.e. from 17.11.2011. The
petitioner was further directed to pay Rs. 25,000/- as litigation



cost to the respondent.

3. Despite the direction issued by this Court on 29.01.2026, the petitioner has failed to file his statement of assets and liabilities. in light of the Hon'ble Supreme Court decision in the case of Rajnesh vs. Neha reported in (2021) 2 SCC 324 and Aditi alias Mithi vs. Jitesh Sharma reported in (2023) SCC Online SC 1451 read with Pravin Kumar Jain vs. Anju Jain reported in 2024 SCC Online SC 3678.

4.It appears that the petitioner has deliberately not complied with the order dated 29.01.2026. By the impugned order dated 28.05.2014, the petitioner was directed to pay a sum of Rs. 10,000/- per month to the respondent-wife towards maintenance *pendente lite* from the date of the application dated 17.11.2011. The petitioner was also directed to pay a sum of Rs. 25,000/- in one lump sum towards litigation costs to the respondent-wife. The aforesaid order has not been complied with by the petitioner.

5. Learned counsel for the respondent submits that till date only a sum of Rs. 2,20,000/- has been paid by the petitioner/husband to the respondent/wife, and that the petitioner is defying the aforesaid order by filing the present civil miscellaneous application. Petitioner is a big contractor and



also doing business of brick kiln from which he has a good income. Learned counsel further submits that the petitioner has solemnised a second marriage with one Shabnam Kumari during the pendency of the suit, without obtaining leave of the Court or the consent of his wife at any point of time. It is further submitted that the petitioner is defying the impugned order on the pretext of filing the present civil miscellaneous application.

6. Learned counsel for the respondent submits that the respondent/wife has filed Execution Case No. 420 of 2023, in which the petitioner/husband is not appearing, and has thus deliberately halted the execution proceedings.

7. Keeping in view the aforesaid fact, and considering that respondent/wife is an unemployed lady, as per her averment and anyhow she is living her life, this Court is of the considered views that there is no merit in the present civil miscellaneous application and accordingly the same stands dismissed.

8. The petitioner is directed to deposit the entire amount along with interest at the bank rate from the date of passing of the impugned order. In the event of non-compliance, the learned Trial Court shall take coercive steps for realisation of the said amount and for payment thereof to the respondent. The order shall be complied with within a period of three



months from the date of passing of this order.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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