

**In the court of Principal Judge, Family Court, Jamui.**

**Maintenance Case No. 95M/2020**

**Dipti Kumari and another.....Petitioners**

**Vs**

**Saurav Kumar Singh.....O.P.**

30-01-2021	<p>An interim maintenance petition on dated 03-12-2020 has been filed by the petitioners namely Dipti Kumari and another but no rejoinder has been filed against this interim maintenance petition on behalf of the O.P. Heard the party.</p> <p>The petitioner no.1 has filed this petition on behalf of herself and her minor son(petitioner no.2). She has stated in her interim maintenance petition that the petitioner no.1 has already brought a proceeding U/s- 125 Cr.P.C. for maintenance of herself and her minor son. The O.P. appeared in this case, but he did not appear for counseling. She further states that the petitioner no.1/applicant no.1 Dipti Kumari has no any source of income. She has further stated that she is quite unable to maintain herself and her minor son and her condition is very pitiable. She has further stated that the petitioner no.1/applicant no.1 Dipti Kumari is facing a great hardship and she is not in a position to bear the expenses of proceeding, lawyer fee etc. She has further stated that she is also facing the great hardship in attending the court on date fixed. She has stated that her son is also studying in S.T. Joseph School, Jamui in class U.K.G. and his school fee, dress, transportation, books and copies and diet are necessary. Besides this, medical treatment is also need for both. She has further stated that she is facing very difficulties to fulfill the above expenses. The petitioners/applicants are fully depend upon the O.P.'s income. She has further stated that with the intention to build the life of the petitioner No. 02, the petitioner No. 01 took admission her son in the school and she is eager to give better education, so that her son could become a good law abiding citizen. She has further stated that due to poorness of the her/petitioner No. 01 she/petitioner No. 01 has need interim maintenance for her proceeding expense and son's expenses. She has further stated that the O.P. is competent to give interim maintenance to the petitioners and he has sufficient income. petitioner No. 01 has further stated that the O.P. is an</p>	
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30-01-2021 Continued	<p>engineer and employed at Bahadurgarh in Welcome Shoe Pvt. Ltd., by which the O.P. is getting Rs. 40,000/- per month as salary. Besides this, he has also sufficient landed property in the village Noomer, by which he earns two lakhs rupees annually from the land produce. Lastly she has demanded Rs. 20,000/- per month as interim maintenance.</p> <p>It appears to this court that the opposite party appeared in this case, but he did not file his W.S. and he has not filed his rejoinder petition against the interim maintenance petition. It further appears that there is no doubt that the opposite party appeared in this case and admitted that he is the husband of the petitioner No. 01 and from perusal of the record it clearly shows that O.P. is an engineer and he is an employee in Welcome Shoes Pvt. Ltd. at Bahadurgarh, by which he is getting salary Rs. 40,000/- (forty thousand rupees) per month, and regarding the salary of the O.P, the petitioner has submitted the salary slip, from which it is crystal clear that the O.P. gets total income Rs. 32,360/-, in which 16, 200/- per month is his/ O.P. basic salary, Rs.8400/-, H.R.A. Rs.1600/ Conveyance Allowance Rs.3150/-, Special Allowance Rs.3150/- and Rs.2960/- as Over Time. Besides this O.P. has sufficient fertile land at village- Noomar, which comes under Barhat Police Station, by which he earns Rs. 02 lacs annually by agriculture produce, but the O.P. deliberately ignoring to the petitioner No. 01 and her minor child (i.e. petitioner No. 02) and on the other hand, the petitioners has no any source of income and as such if the interim maintenance allowance will not be given to the petitioners/applicants, then they will be deemed to be reach at the stage of vagrancy and as such on the basis of Basic Pay and Special Allowance of the O.P. this court is hereby ordered to O.P. to pay Rs.4500 /-(Four Thousand Five hundred Rupees) per month to the petitioner No. 01 and Rs.1500/- (One thousand five hundred rupees) per month to the minor child(petitioner no.2), i.e. total Rs.6000/- (Six thousand rupees) per month from the date of this order as interim</p>	
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Continued

maintenance till the disposal of the main suit. The interim maintenance allowance will be adjusted in the final order of the maintenance petition. The petitioner No. 01 as being the mother of her minor child will also receive the interim maintenance allowance on behalf of her minor son namely Vaibhav Raj.

The case is fixed on .....for counselling and filing W.S.

Dictated

Principal Judge, Family Court,  
Jamui.