

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**First Appeal No. 286 of 2023**

-----  
 Santosh Rana ..... Petitioner/Appellant

**Versus**

Sarita Kumari ..... Opp.Party/Respondent  
 -----

**CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD**  
**HON'BLE MR. JUSTICE SANJAY PRASAD**

-----  
 For the Appellant : Mr. Gaurav Abhishek, Advocate

For the Respondent Mr. Abhinav Raj, Advocate  
 -----

**12/05.05.2026** Although this Court has passed an order dated 23.03.2026 in this case directing the parties to file their respective affidavits showing their entire worth for the purpose of settling the issue of alimony, but as it appears, only learned counsel appearing for the Respondent-wife has filed the affidavit in terms of order dated 23.03.2026 and no affidavit has been filed on behalf of the appellant-husband.

**2.** The respondent-wife is present along with two sons born in wedlock of the appellant and the respondent.

**3.** The respondent-wife has stated that although maintenance amount to the tune of Rs.13,000/- per month (Rs.3,000/- per month to wife (respondent herein) and Rs.5,000/- per month each to both the minor children) had been directed to be paid vide order dated 03.03.2022 passed in Original Maintenance Case No. 119 of 2020, but the maintenance amount is not being paid regularly, rather it is paid intermittently causing much financial hardship to the respondent-wife.

**4.** It has also been stated by the respondent-wife that due to non-payment of the maintenance amount

regularly, an arrear of approximately Rs.4,00,000/- has already accrued.

**5.** It is further stated by the respondent-wife that now the situation has become so distressing that although one of the sons has passed Class-X examination, but due to acute financial crunch on account of non-payment of maintenance, she is not in a position to get him admitted in Class-XI.

**6.** It has been submitted on behalf of the appellant-husband that a criminal revision, being Criminal Revision No. 399 of 2022, has been preferred against the order dated 03.03.2022 passed in Original Maintenance Case No. 119 of 2020 by the respondent-wife, but it has also been admitted by the learned counsel appearing for the appellant-husband that there is no ad-interim stay in the said criminal revision.

**7.** The order dated 13.03.2026, passed in the criminal revision, i.e. Criminal Revision No. 399 of 2022 is produced before this Court and on perusal of the same, it appears that there is no ad-interim stay with respect to payment of maintenance amount in the said order.

**8.** Let the said order be kept on record.

**9.** It appears that the learned counsel appearing for the appellant-husband has neither disputed the order of payment of maintenance nor has he disputed the fact that the appellant-husband, inspite of being a public servant, working in the Central Reserve Police Force, is defying the order passed by a Court of law.

**10.** At this juncture it requires to refer herein that the object of maintenance is to provide a swift and

inexpensive remedy to prevent destitution and vagrancy of deserted wives. It is conceived as a measure of social justice, ensuring that a wife is not reduced to have an existence of mere survival or starvation but to enable her to maintain a standard of living commensurate with that which she enjoyed in her matrimonial home. The legislative intent is thus not confined to bare subsistence; rather, it is directed towards preserving dignity, preventing social dislocation, and securing the welfare of the dependent spouse.

**11.** It is deemed a measure of social justice under Article 15(3) and 39 of the Constitution, protecting women and children. In **Chaturbhuj vs. Sita Bai** reported in **(2008) 2 SCC 316**, the Hon'ble Apex Court observed that the object of maintenance proceedings is not to punish a person for his neglect but to prevent the vagrancy and destitution of a deserted wife, by providing her food, clothing and shelter by a speedy remedy.

**12.** In **Bhuvan Mohan Singh vs. Meena and others** reported in **(2015) 6 SCC 353**, the Hon'ble Apex court observed that Section 125 Cr.P.C./144 BNSS was conceived to ameliorate the agony, anguish and financial suffering of a woman, who left her matrimonial home for the reasons provided in the provision, so that some suitable arrangement can be made by the Court and she can sustain herself and also her children, if they are with her. It was held that the concept of sustenance did not necessarily mean 'to lead the life of an animal, feel like an unperson to be thrown away from grace and roam for her basic maintenance somewhere else' and the wife would be entitled in law to lead a life in a similar manner as she would have lived in the house of her

husband. The Hon'ble Apex Court further cautioned that, in a proceeding of this nature, the husband cannot be permitted to take subterfuge to deprive the wife of the benefits of living with dignity and there could be no escape route, unless there is an order from the Court that the wife is not entitled to get maintenance from the husband on legally permissible grounds.

**13.** Earlier, in ***Badshah vs. Urmila Badshah Godse and another*** reported in **(2014) 1 SCC 188**, the Hon'ble Apex Court has observed that the provision of maintenance aims at empowering the destitute and achieving social justice or equality and dignity of the individual and while dealing with cases thereunder, the drift in the approach from adversarial litigation to social context adjudication is the need of the hour.

**14.** Further in ***Rajnish vs. Neha and another*** reported in **(2021) 2 SCC 324**, the Hon'ble Apex Court emphasized that maintenance laws were enacted as a measure of social justice to provide recourse to dependent wives and children for their financial support, so as to prevent them from falling into destitution and vagrancy.

**15.** In the case of ***Pratibha Rani v. Suraj Kumar***, reported in **(1985) 2 SCC 370**, the Hon'ble Apex Court has made the following remarks while dealing with the rights of a women in a matrimonial dispute: -

*“—Sometimes the law which is meant to impart justice and fair play to the citizens or people of the country is so torn and twisted by a morbid interpretative process that instead of giving haven to the disappointed and dejected litigants it negatives their well established rights in law. The present case reveals the sad story of*

*a helpless married woman who, having been turned out by her husband without returning her ornaments, money and clothes despite repeated demands, and dishonestly misappropriating the same, seems to have got some relief by the court of the first instance but to her utter dismay and disappointment when she moved the High Court she was forced like a dumb-driven cattle to seek the dilatory remedy of a civil suit-such was the strange and harsh approach of the High Court, with due respect, which seems to have shed all the norms of justice and fair play. Even so, the High Court is not much to be blamed because in the process of following precedents or decisions of doubtful validity of some courts, it tried to follow suit. ...”*

*(Emphasis Supplied)*

**16.** Herein, it appears that on account of non-payment of maintenance amount regularly, an arrear of Rs.4,00,000/- has accrued and the respondent-wife is facing acute financial hardship, but inspite of that she is compelled to spend money in contesting the case for the sake of her survival and sustenance of her sons.

**17.** In view of the above facts and settled position of law, this court is of the view that an order is required to be passed directing the Director General, Central Reserve Police Force to deduct maintenance amount to the tune of Rs.13,000/- per month from the salary of the appellant-husband to be transmitted to the account of the Respondent-wife and in addition thereto, let 50% of the total arrear amount be transmitted to the account of respondent-wife from the account of the appellant-husband within a fortnight.

**18.** Let this order be communicated to the Director General, Central Reserve Police Force for compliance of the above direction.

**19.** For the aforesaid purpose, let the Director General, Central Reserve Police Force be impleaded a party to this appeal.

**20.** Let the memo of this appeal be served upon Mr. Prashant Pallav, learned A.S.G.I.

**21.** Put up this case on 11.06.2026.

**22.** In the meantime, affidavit in terms of order 23.03.2026 may be filed on behalf of the appellant-husband.

**23.** Let the name of Mr. Prashant Pallav, learned A.S.G.I. be reflected in the daily cause list on behalf of the Director General, Central Reserve Police Force henceforth.

**(Sujit Narayan Prasad, J.)**

**(Sanjay Prasad, J.)**

s.m.  
Dated 05.05.2026