



IN THE HIGH COURT OF ORISSA AT CUTTACK

RPFAM No. 367 of 2025

Santosh Sahoo

....

Petitioner

Mr. S.C. Puspalka, Advocate

-versus-

Pinki Sahoo and another

....

Opposite Parties

CORAM:

JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

24.02.2026

(Hybrid Mode)

Order No.

01.

1. Learned counsel for petitioner was heard at length.

Petitioner-husband is before this Court challenging the judgment dated 30.07.2025 passed by the learned Judge, Family Court-II, Bhubaneswar. The said proceeding was initiated under the provision of Section 125, Cr.P.C. (since repealed and substituted by *pari materia* provision under section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023) by the wife in the marriage and minor child born from the wedlock aged about three years presented through the mother. Monthly maintenance sought for by the wife was ₹30,000/- and for the child was ₹20,000/- per month. However, learned Judge, Family Court has directed payment of monthly maintenance of ₹3,000/-per



month to the wife in the marriage and ₹5,000/- per month for the minor child.

2. In view of the judgment and direction of the Hon'ble Apex Court in ***Rajnesh v. Neha : (2021) 2 SCC 324; 2020 INSC 631 : AIR 2021 SC 569***, the amount directed under section 125, Cr.P.C. (since repealed and substituted by *pari materia* provision of section 144 contained in Bharatiya Nagarik Suraksha Sanhita, 2023) is in the nature of money decree. Learned counsel for petitioner has adjournment to obtain instruction how the amount shall be secured for challenging the same before this Court and what amount has already been paid during pendency of the said proceeding or after pronouncement of the judgment dated 30.07.2025. The amount due to be paid as directed by the learned Judge, Family Court i.e. ₹ 8,000/- per month from the date of filing of the application before the learned trial court i.e. 13.07.2021 for 55 months till February, 2026 would be ₹4,40,000/-.

4. The matter shall be listed in the week commencing 23.03.2026.

(Mruganka Sekhar Sahoo)
Judge

dutta