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Court : Jharkhand

Decided On : Mar-28-2007

Reported in : [2008(1)JCR125(Jhr)]

Judge : N.N. Tiwari, J.

Appellant : Veena Devi

Respondent : Arun Kumar Singh

Disposition : Petition dismissed

Judgement :

ORDER

N.N. Tiwari, J.

1. In this writ petition, the petitioner has prayed for enhancement of the maintenance amount from Rs. 1,500/- to Rs. 3,500/- per month. It has been stated that the learned Court below has allowed the amount of maintenance on an application under Section 24 of the Hindu Marriage Act only to the extent of Rs. 1,500/- per month and Rs. 5,000/- as litigation expenses. It has been slated that the said maintenance amount is not sufficient for the petitioner and that it should be enhanced to Rs. 3,500/-.

2. Learned Counsel appearing on behalf of the respondent submitted that the learned Court below has considered all aspects and also considered that the petitioner was receiving only Rs. 7,050/- and has come to the conclusion and fixed maintenance amount of Rs. 1,500/- and also directed to pay litigation expenses of Rs. 5,000/-. Learned Counsel submitted that since the date of the order, he has been depositing the said amount and he has also deposited the amount of litigation expenses of Rs. 5,000/-. It has been submitted that the petitioner has got residential accommodation in Prabhat Colony, Chas and she has been using and enjoying the said property. It has been further submitted that the respondent is a heart patient and he requires considerable sum for his treatment and taking into consideration all the materials on record, the learned Court below has fixed the said amount of maintenance.

3. After hearing the parties and considering their submissions as also the materials appearing on record, I find that the learned Court below, after taking into consideration the petitioner's income and other aspects, has fixed the said amount of maintenance of Rs. 1,500/- per month. The petitioner has not brought anything on record to show any change in the income of the respondent and, as such, I find no ground to interfere with the impugned order for enhancement of the said amount of maintenance. This writ petition is, accordingly, dismissed.