

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL REVISION No.824 of 2019**

Arising Out of PS. Case No.- Year-0 Thana- District- Muzaffarpur

1. VIKASH KUMAR GIRI S/o Sri Virendra Kumar Giri Presently residing at C/O-Home create India finance Pvt. Ltd. Reliable Touch Space Plot No. R847, 1/3 T.T.C Industrial Area MIDC, Rawle, P.S.- Rabale, Navi Mumbai 4000701
2. Sarita Giri W/o Virendra Kumar Giri Presently Residing at WZ-174 Narayana Village, P.S.- Narayana, Delhi- 28
3. Virendra Kumar Giri S/o Rajdev Giri Presently Residing at WZ-174 Narayana Village, P.S.- Narayana, Delhi- 28
4. Vinit Kumar Giri S/o Virendra Kumar Giri Presently Residing at WZ-174 Narayana Village, P.S.- Narayana, Delhi- 28
5. Vivek Kumar Giri S/o Virendra Kumar Giri Presently Residing at WZ-174 Narayana Village, P.S.- Narayana, Delhi- 28

... .. Petitioner/s

Versus

SARITA KUMARI W/o Vikash Kumar Giri and D/o Sri Sita Ram Giri Presently residing at Housing Board Colony L.I.G-45, P.S.- Kanti, District- Muzaffarpur

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Navesh Nandan  
For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI  
ORAL ORDER**

4 29-01-2024

An order of monetary allowance upon an application under Sections 18/19/20 of the Protection of Women from Domestic Violence Act, 2005 passed by the learned Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur in D.V. Complaint Case No. 1043 of 2017 dated 20<sup>th</sup> April, 2018 was dismissed by the learned District and Sessions Judge, Muzaffarpur in Criminal Appeal No. 31 of 2018 on 9<sup>th</sup> April, 2019.

2. Since the impugned order was passed without



assessing the income of the parties, the instant Revision shall be heard.

3. Issue notice upon the private opposite party. The petitioner is directed to file requisites within one week from the date of this order for service of notice in both ways. The instant Revision shall be heard after service of notice.

4. In the meantime, without prejudice to the rights and contentions of the parties, the petitioner is directed to go on paying monetary allowance at the rate of Rs. 5,000/- per month within 10<sup>th</sup> of each succeeding month.

**(Bibek Chaudhuri, J)**

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