

Court No. - 8

Case :- CRIMINAL REVISION No. - 1103 of 2023

Revisionist :- Manjeet Yadav

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.
And Another

Counsel for Revisionist :- Vineet Kumar Pandey, Dharmendra Singh

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned Counsel for revisionist as well as learned A.G.A. and Sri J.P. Pandey, who has filed Vakalatnama on behalf of opposite party no.2. The Vakalatnama is taken on record.

2. In terms of the order dated 04.10.2023, both the parties present in Court, however, on interaction, there appears to be no chance of any settlement. The revision has been filed challenging an order dated 31.07.2023 passed by the Principal Judge, Family Court, Gonda, whereby in exercise of powers under Section 125 of Cr.P.C., an amount of Rs.4500/- per month was directed to be paid as maintenance from the date of filing of the application i.e. on 05.08.2021.

3. In terms of the order impugned, the case of the revisionist was that he was earning Rs.8000/- per month and after considering the overall situation as well as the fact that the revisionist is living in his paternal house and his father is also the owner of an agricultural property, awarded an amount of Rs.4500/- per month as maintenance.

4. The contention of the Counsel for the revisionist is that the private opposite party is not co-operating with the suit filed by him and thus, she is not entitled for any maintenance. He argues that Rs.4500/- is excessive.

5. In the proceedings before the court below, a copy of the passbook was filed, which indicates that per month salary of the revisionist was approximately Rs.11000/- per month and treating the same to be relevant factor for deciding the quantum, I do not see any reason to interfere with the order dated 31.07.2023, which has fixed Rs.4500/- as maintenance to be paid by the revisionist to the opposite party no.2 from the date of application, however, it is directed that the opposite party

no.2 shall co-operate with the trial. No interference is called for.

6. The criminal revision is ***dismissed***.

Order Date :- 4.12.2023

akverma