



2025:UHC:2843

HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Revision No. 209 of 2025

Vinay Singh Panwar

.....Revisionist

Versus

Pratibha Bisht

.....Respondent

Presence:-

Mr. A M Saklani, Advocate for the revisionist.

Dated : 21.04.2025

Hon'ble Vivek Bharti Sharma, J.

Present criminal revision is filed by the revisionist against the order dated 28.03.2025 passed by learned Family Court Judge, New Tehri, District Tehri Garhwal in Misc. Criminal Case No. 78 of 2024, whereby the said court has partly allowed the application filed by the revisionist under Section 144(2) B.N.S.S. and directed the revisionist to pay the interim maintenance of ₹6,000/- as maintenance to his daughter.

2. Counsel for the revisionist would submit that marriage of the revisionist and respondent was solemnized on 04.07.2020; that, out of the marriage a girl child was born; that, due to some matrimonial discord, the respondent started living separately along with her daughter; that, the respondent moved an application under Section 144 B.N.S.S. for interim maintenance; that, the said application was partly allowed and the maintenance to the respondent/wife was refused by



the court below and amount of ₹6,000/- was granted in favour of minor daughter.

He would further submit that revisionist also filed his objection to the said application on the ground that the respondent/wife is a Government Employee and working as Senior Fisheries Inspector and gets a salary of approximately ₹60,000/- per month; that, the impugned order is unsustainable in the eyes of law as the court below, without considering the facts and circumstances of the case, directed the revisionist to pay ₹6,000/- per month to his minor daughter; that, the revisionist is getting ₹25,000/- per month only and out of this monthly salary he has to pay rent of ₹5,500/-, therefore, interim maintenance in favour of his daughter is on a very higher side.

3. Heard learned counsel for the revisionist and perused the material available on file.

4. It is trite that the scope of jurisdiction of revision is not as vast as that of appeal. In my view, while considering the revision application, the revisional court has a limited scope. In the revisional jurisdiction, the Court has to see whether there is any illegality, impropriety or incorrectness in the order assailed before the Court, or any irregularity in the proceedings adopted by the court below.

5. Perusal of the impugned order shows that the court below had partly allowed the application for interim maintenance and granted interim



maintenance of ₹6,000/- in favour of minor daughter only. It is stated by the respondent/wife in the application under Section 144 B.N.S.S. that the revisionist is working as Salesman and earning ₹1,00,000/-per month and his rental income of ₹20,000/-per month. However, the revisionist has admitted in objection that he is getting Rs.25,000/- per month as salary, thus, the interim maintenance granted to the minor cannot be said to be on the higher side.

6. Perusal of the impugned judgment of the court below shows that the court has dealt with all the aspects of the matter and has thereafter passed the impugned judgment.

7. Learned counsel for the revisionist could not point out any other irregularity in the proceedings of the lower court or any impropriety, illegality and incorrectness in the impugned orders.

8. In view of the foregoing discussion, this Court is of the view that there is no reason to make any interference in the impugned judgment and order. The revision deserves to be dismissed at the admission stage.

9. Accordingly, the revision is hereby dismissed *in limine*.

10. Let a copy of this order be sent to the trial court for information.

(Vivek Bharti Sharma, J.)

21.04.2025



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