

| SL.<br>No. | Date | Office<br>Notes,<br>reports,<br>orders or<br>proceedings<br>or<br>directions<br>and<br>Registrar's<br>order with<br>Signatures | COURT'S OR JUDGE'S ORDERS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------|------|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |      |                                                                                                                                | <p><b><u>UKHC010011762016</u></b><br/><b><u>CRLR/72/2016</u></b></p> <p>Mahesh Chandra Pathak<br/>--Revisionist</p> <p style="text-align: center;"><b>Versus</b></p> <p>Poonam Pathak<br/>--Respondent</p> <p><b><u>Hon'ble Alok Mahra, J.</u></b></p> <p>Mr. Krishna Sanwal, Advocate, holding brief of Mr. B.S. Adhikari, Advocate for the revisionist.</p> <p>2. Mr. V.D. Bisen, Advocate for the respondent.</p> <p>3. The present criminal revision has been filed challenging the judgment and order 25.02.2016 passed by the court of learned Family Judge, Udham Singh Nagar in Misc. Criminal Case No. 130 of 2011, Poonam Pathak Vs. Mahesh Chandra Pathak, under Section 125 Cr.P.C., whereby, the revisionist was directed to pay interim maintenance of Rs. 2000/- to his wife and Rs. 1000/- each to two minor children (total Rs. 4000/-).</p> <p>4. Learned counsel for the revisionist submits that the income of the revisionist is about Rs. 10,000/- and the maintenance amount has been granted on the higher side. It is further submitted that the wife has left her matrimonial house without any sufficient cause or justification and revisionist is ready and willing to keep her back. It is further submitted that the allegations levelled by the respondent-wife against the revisionist are concocted and</p> |

|  |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  | <p>false.</p> <p>5. <i>Per contra</i>, learned counsel for the respondent submits that there was no source of livelihood of the wife and both the children are with her. It is further submitted that revisionist's behaviour was cruel to the respondent and he used to harass her and, as such, she was force to leave her matrimonial house alongwith her children and that the learned Family Court had granted interim maintenance of only Rs. 2000/- to his wife and Rs. 1000/- each to two minor children. It is also submitted that the revisionist has never complied with the orders passed by this Court or the Family Court and has not paid a single penny as maintenance despite orders of this Court.</p> <p>6. Heard learned counsel for the parties and perused the record.</p> <p>7. Having considered the rival submissions and the material placed on record, this Court is of the view that no jurisdictional error, perversity or material irregularity is made out in the impugned order warranting interference in revisional jurisdiction. Furthermore, it is also true that the scope of criminal revision is very restricted. It is exercised just to examine the correctness, legality or propriety of any finding, sentence or order. Evaluation and appreciation of evidence is not desired unless some admissible evidence is ignored or inadmissible evidence is taken into consideration.</p> <p>8. Furthermore, being a revision as against the order of interim maintenance, unless and until the figure is shockingly arbitrary or excessive, the Court should not interfere with the said order.</p> <p>9. The scope of revision against the order of interim maintenance is very limited. The impugned order does not fall within the limited</p> |
|--|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|  |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  | <p>scope of revision against the interim maintenance. The learned court below has exercised its discretion in a judicious manner and the same does not suffer from any illegality or impropriety.</p> <p>10. Accordingly, the Criminal Revision is devoid of merit and is liable to be dismissed and is hereby dismissed.</p> <p style="text-align: right;"><b>(Alok Mahra J.)</b><br/>19.08.2026</p> <p>Ujjwal</p> |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|