

3

Checked & Verified, 2013

IN THE HIGH COURT OF JUDICATURE AT

BILASPUR (C.G.)

Single Bench

Criminal Revision No 315 /2005

PETITIONER

Applicant

: Smt. Prema Bai, aged about 36 years
W/o. Kuntu Ram Chandrakar,
R/o. Through : Chandan Chandrakar
Government Higher Secondary School
Karanj, Bhilai Chowki, Jewra Sirsa
Tahsil and District Durg (C.G.)

VERSUS

RESPONDENT

Non-applicants

: Kunturam, S/o. Prabhuram Chandrakar
Aged about 43 years
R/o. Purana Bazar Dallirajhara
P.S. Dallirajhara, Tahsil Balod
District Durg (C.G.)

CRIMINAL REVISION UNDER SECTION 19 (4) OF THE
FAMILY COURTS ACT.

(BEING AGGRIEVED BY THE ORDER DATED 02.06.2005
PASSED BY THE JUDGE FAMILY COURT, DURG (C.G.)

IN CRIMINAL APPEAL NO. 1015/2005

PETITIONER

Applicant

: Smt. Prema Bai, aged about 36 years
W/o. Kuntu Ram Chandrakar,
R/o. Through : Chandan Chandrakar
Government Higher Secondary School
Karanj, Bhilai Chowki, Jewra Sirsa
Tahsil and District Durg (C.G.)

VERSUS

RESPONDENT

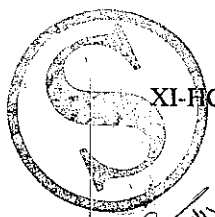
Non-applicants

: Kunturam, S/o. Prabhuram Chandrakar
Aged about 43 years
R/o. Purana Bazar Dallirajhara
P.S. Dallirajhara, Tahsil Balod
District Durg (C.G.)

CRIMINAL REVISION UNDER SECTION 19 (4) OF THE
FAMILY COURTS ACT.

(BEING AGGRIEVED BY THE ORDER DATED 02.06.2005
PASSED BY THE JUDGE FAMILY COURT, DURG (C.G.)

IN CRIMINAL APPEAL NO. 1015/2005



XI-FC-78

(16)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक

C.R. No. 315/05 सन् 20

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<u>S.B: Hon'ble Justice Mr. Sanjay K. Agrawal</u> <u>03-07-2014:</u> Shri D.N. Prajapati, counsel for the petitioner. Heard on admission. (1) Learned counsel appearing for the petitioner, while attacking the impugned order rejecting the application for maintenance, would submit that the order impugned rejecting the application for maintenance passed by the Family Court is bad in law, which deserves to be set aside. (2) Upon due appreciation of evidence available on record, the Family Court, by its order dated 02.06.2005 passed in Criminal Appeal No.1015/2005, recorded findings that marriage of the applicant was solemnized with respondent – Kunturam in the year 1982 and, thereafter, there was <i>Chhod Chhutti</i> between them; and after 12 years of the marriage, petitioner/wife filed an application for maintenance; apart from delay in filing the application, Family Court recorded a finding that the petitioner is living adulterous life as she is residing with one Tarachand Satnami, which is duly proved during the course of trial and, thus, there is no sufficient cause for the petitioner	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक G.R. 315 / 2005 सन् 20

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	-2- to live separately from the respondent and rejected application for maintenance filed by the petitioner. (3) Considering the facts that after 12 long years of marriage petitioner filed an application for maintenance and apart from the delay in filing the application, looking to the finding recorded by Family Court that the petitioner is living adulterous life with one Tarachand Satnami, which is duly proved during the course of trial, I do not find any illegality in the order impugned rejecting the application for maintenance filed by the petitioner. The revision is dismissed at the admission stage without notice to the other side.	Sd/- Sanjay K. Agrawal Judge