

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 23 of 2015**

1. Prajjwal Alodi S/o G.V. Alodi Aged About 30 years R/o M.I.G. 17, Shankar Nagar, Sector-2, P.S. Civil Lines, Tah. And Distt. Raipur C.G.

---- Appellant**Versus**

1. Smt. Vinanti Alodi W/o Prajjwal Alodi D/O Deepak Pathak, R/O C/O Bhaiya Ji Pathak Near Milan Chowk, Bhilai Hudco, Tah. And Distt. Durg C.G.

---- Respondent

For appellant	:	Mr. Kishore Bhaduri with Mr. Pawan Kesharwani, Advocate
For Respondent	:	None appears although served.

Hon'ble Shri Justice T. P. Sharma
Hon'ble Shri Justice Inder Singh Uboweja

Order On Board by T.P.Sharma, J.**11/05/2015**

By this appeal filed under Section 19 of the Family Courts Act, the appellant challenged the legality, validity and propriety of the order dated 19.01.2015 passed by the Judge, Family Court, Raipur, in Civil Suit No. 64/2014 whereby the trial Court has awarded Rs. 10,000/- as maintenance pendente lite along with daily expenses of Rs.300/- per hearing and for cost of litigation to the tune of Rs.6000/-.

2. Mr. Kishore Bhaduri with Mr. Pawan Kesharwani, learned counsel for the appellant submits that total income of the appellant is Rs.15,000/- per month, which has not been considered by the trial Court by awarding Rs.10,000/- as maintenance pendente lite.

3. We have heard learned counsel for the appellant.

4. Considering the debatable matter and specific claim of Rs.15,000/- per

month income of the appellant, it appears that by awarding Rs.10,000/- as maintenance pendente lite, the trial Court has ignored the submission of the appellant and thereby committed the illegality.

5. Consequently, the appeal is partly allowed. While maintaining the cost of litigation to the tune of Rs.6,000/- and daily expenses to the tune of Rs.300/- per hearing, monthly maintenance pendente lite to the tune of Rs.10,000/- awarded by the trial Court is reduced to Rs.7,000/-.

6. No order as to costs.

(T.P.Sharma)
JUDGE

(I.S.Uboweja)
JUDGE