

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 339 of 2015

1. Deepak Kumar Gupta S/o Gulab Prasad Gupta, Aged About 28 Years, Occupation Business and Agriculturist, R/o Village Luragi, PS Pasta, Tah. And District Balrampur Chhattisgarh.

---- Applicant

Versus

1. Reshami Gupta W/o Deepak Kumar Gupta, Aged About 24 Years, Occupation House Wife.
2. Ku. Mimansa Gupta D/o Shri Deepak Gupta, Aged About 3 Years, Through : Legal Guardian Mother Non Applicant No. 1.

Both are R/o Namnakala, Near Power House, Ambikapur, Tah. And PS Ambikapur, District Surguja Chhattisgarh.

---- Respondents

For Applicant.	-	Smt. Hamida Siddiqui, counsel.
For Respondents.	-	Ms. Neha Verma, counsel.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

26/11/2015

With the consent of the parties, the matter is heard finally.

- (1) Challenge in the present revision is to the order dated 24.03.2015 passed by the Family Court, Ambikapur, District Surguja in Misc. Criminal Case No.187/2014 directing the petitioner to pay Rs.4,000/- each to respondents as interim maintenance.
- (2) Counsel for the applicant submits that the amount awarded to respondents is on the higher side. It has been argued that the applicant is owner of one truck and not two as recorded by the Court below. He further submits that the amount awarded to respondent No.2 who is aged about 3 years is on the higher side.
- (3) On the other hand, supporting the impugned order it has been argued by counsel for respondents that considering the income of the

applicant, the amount awarded to respondents by the Court below is just and proper.

- (4) I have heard counsel for the parties.
- (5) Considering the facts and circumstances of the case and rival submissions of the parties, the fact that the relation between the applicant and non-applicants are not disputed. Even if the interim maintenance awarded to non-applicant No.2 is bit on the higher side, I am not inclined to interfere with the order impugned particularly considering the fact that the finding has been recorded by the Court below that the applicant is owner of two trucks. The revision being without any substance is liable to be dismissed and it is dismissed as such.
- (6) The Family Court is however directed to decide the main case itself expeditiously, if possible within five months from the next date of hearing. It would be the duty of the parties to co-operate for early disposal of the case.
- (7) Registry to send back the records of the Court below forthwith and communicate this order to the Family Court concerned.

Sd/-

(Pritinker Diwaker)
JUDGE