

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 667 of 2015

1. Sumitra Sahu D/o Late Shri Ramadhar Sahu, Aged About 22 Years W/o Shri Sunil Kumar Sahu, Caste- Teli, R/o Village Premnagar, P.S. & Tahsil Premnagar, District Surajpur (Chhattisgarh)

---- **Petitioner**

Versus

1. Sunil Kumar Sahu S/o Shri Pannalal Sahu, Aged About 25 Years R/o Village Dola Ramnagar, P.S. Ramnagar, Tahsil Kotma, District Anuppur (Madhya Pradesh)

---- **Respondent**

For Petitioner.

: Shri Sushil Dubey Advocate.

Order On Board

18/08/2015

Heard.

1. This petition is directed against the order dated 7.05.2015 by which the Court below has rejected the petitioner's application for grant of maintenance at the rate of 20,000/- per months during the pendency of application under Section 25 of the Hindu Marriage Act.

2. Learned counsel for the petitioner submits that as the petitioner is not earning her livelihood and she needs some money for her maintenance. The Court below ought to have awarded interim maintenance during the pendency of petition under Section 25 of the Hindu Marriage Act. The Court has rejected application only taking into consideration that a decree of divorce has been passed earlier.

3. Learned counsel for the petitioner further submits that an appeal is also pending before the Appellate Court.

4. The Court below has rejected the application observing that the case is likely to be

decided early, therefore, no order is required to be passed at this stage.

5. The order shows that the case is directed to be listed for recording evidence on 13.05.2015. There is nothing on record to show after passing of the order there has been undue delay. Therefore, I am not inclined to interfere with the order. However, if the application under Section 25 of the Hindu Marriage Act is not decided within a period of 3 months from the date of receipt of copy of this order, for reasons not attributable to the petitioner, the petitioner may renew her application before the Court below.

6. Accordingly, the petition is disposed off.

Sd/-

Manindra Mohan Shrivastava

Judge

Amita