

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 716 of 2015**

Durga Prasad Dadsena, son of late Shri Anand Ram Dadsena, aged about 28 years, Caste Dadsena, resident of Village Nimohi, Post Office Singhitarai, Police Station Dabhra, District Janjgir-Champa (C.G.)

---- Applicant**Versus**

1. Smt. Phool Bai Dadsena, aged about 22 years, wife of Shri Durga Prasad Dadsena.
2. Shivam Dadsena, aged about 2 years, son of Shri Durga Prasad Dadsena, minor through mother Smt. Phool Bai Dadsena.

Both are resident of village Nimohi, Post Office Singhitarai, Police Station Dabhra, District Janjgir-Champa (C.G.)

---- Non-applicants

For Applicant : Shri C.P. Lahrey, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/08/2015**

- (1) Heard on admission.
- (2) In a proceeding for maintenance initiated under Section 125 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') by non-applicant No.1/wife Smt. Phool Bai Dadsena and her minor son Shivam/non-applicant No.2, the Family Court Janjgir, Link Court, Sakti, District Janjgir-Champa, by its order dated 05.08.2015, passed in Case No.2/2014, granted Rs.1500/- to non-applicant No.1/wife and Rs.1000/- to non-applicant No.2/minor son, total Rs.2500/- as monthly

interim maintenance amount in favour of the non-applicants and further recorded a finding that the relationship of husband and wife is admitted and the non-applicants are unable to maintain themselves which is sought to be challenged by the applicant/husband stating that the same is on higher side.

(3) After hearing learned counsel appearing for the applicant, taking into consideration the financial status of the applicant and further considering the cost of living, price-index and basic needs of the non-applicants, an amount of Rs.2500/- as monthly interim maintenance granted to the non-applicants cannot be said to be shockingly high warranting interference by this Court in its revisional jurisdiction. However, in the interest of justice, it is directed that the concerned Family Court, the said Case No.02/2014 shall be considered and decide the same in accordance with law as early as possible preferably within a period of three months from the date of receipt of copy of this order.

(4) Accordingly, the criminal revision stands finally disposed of.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-