

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 926 of 2015

- Suresh Sahu S/o Jagdish Sahu, Aged About 32 Years, R/o Charcha Colliery P.S. Charcha Tahsil - Baikunthpur Distt. - Korea (Chhattisgarh) Presently R/o Village Sawa - Rawaon Post - Baijnathpur P.S. - Odgi Tahsil - Bhaiyathan Distt. Surajpur Chhattisgarh

---- Applicant

Versus

1. Smt. Surawati W/o Suresh Kumar Sahu, Aged About 30 Years, Occupation - House Wife D/o - Raghuvanshi Sahu.
2. Aniket S/o Suresh Kumar Sahu, Aged About 7 Years
3. Abhisek S/o Suresh Kumar Sahu, Aged About 5 Years.

Respondent Nos.2 and 3 are Minor through natural guardian Mother-Surawati R/o Village - Sakariya, Tahsil Khadgaon, District Korea (C.G.)

---- Respondents

For Applicant - Shri V.K. Pandey, Advocate.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

15/12/2015

Heard on admission.

1. Challenge in the present revision is to the order dated 09.09.2015 passed by the Judge, Family Court, Manendragarh, District Korea (C.G.) in M.Cr.C.No.77/2011, directing the applicant to pay Rs.1500/- per month as maintenance to the respondent No.1 Smt. Surawati - wife of the applicant.
2. Counsel for the applicant, while referring to the statement of non-applicant No.1, submits that behavior of the applicant with non-applicant No.1 was good and that she had no complaint against him. He further submits that once the wife has started residing separately without any reason, she is not entitled for any maintenance.
3. From the evidence of non-applicant No.1, it reflects that the applicant

and his family members used to treat non-applicant No.1 with cruelty, the applicant dropped non-applicant No.1 at her parental house with the allegation of *Tohni* and thereafter he has also performed second marriage.

4. Considering the averments made in the application, the evidence of the parties in particular the fact that after dropping the non-applicant No.1 at her parental house, the applicant has performed second marriage, which is not in dispute, I do not find any infirmity or illegality in the order impugned warranting interference by this Court.

5. The revision being without any substance is liable to be dismissed and is hereby dismissed at the admission stage itself.

Sd/-

(Pritinker Diwaker)

JUDGE