

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**F.A.(M) No. 37 of 2011**

Smt. Jyoti @ Kiran Poptani, 32 Yrs. W/o Sunil Poptani, H. No.13, Aishwarya Residency, Telibandha, Raipur CG, Presently : C/o Rajesh Mohan Das Dhamejani, Banshiwala Departmental Stores, Ganj Road, Nawapara (Rajim) Raipur CG

---- Appellant

Versus

Sunil Poptani, 37 Yrs. S/o Harish Poptani Qtr. No. 30 (A) Mecosha Bagh, Sindhi Colony, PS- Jaripatka Nagpur (Maharashtra)

---- Respondent

For Appellant	:	Shri Raja Sharma, Advocate
For Respondent	:	Shri Sunil Otvani, Advocate

**HON'BLE SHRI NAVIN SINHA, ACTING CHIEF JUSTICE &
HON'BLE SHRI P.SAM KOSHY, J.**

Order On Board**Per NAVIN SINHA, ACTING C.J.****17/03/2015**

1. The present appeal arises from order dated 4.1.2011 passed by the First Additional Principal Judge, Family Court, Raipur in H.M. 108A of 2010 granting interim maintenance to the Appellant of Rs.3,000/- per month only.

2. Learned Counsel for the Appellant submits that the impugned order is cryptic and non-speaking in nature. However, the Appellant at this stage shall be satisfied if the order dated 4.1.2011 is modified by granting interim maintenance @ Rs.5,000/- per month with directions to dispose of H.M.108A

of 2010 expeditiously.

3. We have heard Learned Counsel for the Respondent also and consider the submission on behalf of the Appellant for enhancement of the interim maintenance as extremely reasonable. Considering that there are two children born from the wedlock also, and who are at an age where they require education also, the order dated 4.1.2011 is modified to the extent that in place of Rs.3,000/-, interim maintenance shall be paid @ Rs.5,000/- per month. The Respondent shall also pay 50% of the arrears of the maintenance amount only in one lump sum pursuant to the enhancement ordered by us. Current payment shall be made @ Rs.5,000/- per month.

4. The Principal Judge, Family Court shall endeavor to dispose H.M. 108 of 2010 expeditiously preferably within a maximum period of one year from the date of receipt and/or production of a copy of this order.

5. The appeal stands disposed.

Sd/-

ACTING CHIEF JUSTICE

Sd/-

JUDGE