

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 541 of 2015**

Jitendra, Son of Shri Goverdhan Lodhi, aged about 23 years, R/o. Durga Chowk, Labour Camp, Jamul, P.S. Jamul, Tahsil and District Durg (C.G.), at present R/o. Bhatha Kokadi, P.S. and Tahsil Dhamdha, District Durg.

---- Applicant

Versus

1. Smt. Rekha Bai, Wife of Jitendra, aged about 20 years, R/o. Village Kachari, P.S. Saja, Tahsil Saja, District Bemetara.
2. Ghanshyam, son of Jitendra, aged about 06 months, through his legal guardian mother Rekha Bai wife of Jitendra, R/o. Village Kachari, P.S. Saja, Tahsil Saja, District Bemetara.

---- Non-applicants

For Applicant : Shri Suresh Kumar Verma, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

10/07/2015

Heard on admission.

(1) In an application filed under Section 125 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for maintenance by non-applicant No.1/wife and non-applicant No.2/minor son namely Smt. Rekha Bai and Ghanshyam, respectively, the learned Family Court, Bemetara, by its order dated 24.04.2015, passed in Case No.127/2014, granted Rs. 1000/- to non-applicant No.1/wife and Rs. 500/- to non-applicant No.2/minor son, total of Rs.1,500/- as monthly interim maintenance amount in favour of the non-applicants during the

pending of the main petition and recorded a finding that the applicant is working in M/s. A.C.C. Cement Factory, Jamul and earning Rs.15-16,000/- per month and non-applicants are unable to maintain themselves.

(2) Learned counsel appearing for the applicant would submit that an amount of interim maintenance of Rs. 1,500/- per month is on higher side, therefore, it deserves to be reduced accordingly.

(3) After hearing learned counsel appearing for the applicant, considering the financial status of the applicant, and further considering the cost of living, price-index and basic needs of the non-applicants, I do not find any illegality in the impugned order warranting interference by this Court in its revisional jurisdiction.

(4) The revision deserves to be and is accordingly dismissed at admission stage. However, the trial Court is directed to expedite the trial of maintenance proceeding finally.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-