

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 495 of 2015

Harihar Thakur S/o Shri Nageshwar Tahakur Aged About 44 years,
R/o L.I.G. 197, Borsi Extention P.S. Pulgaon, Tehsil And District Durg
Chhattisgarh

---- Petitioner

Versus

Kumari Mahalaxmi Thakur, D/o Harihar Tahkur Aged About 21 Years,
R/o In Front Of Nashine General Store 1st Floor Sector -B, Panchshil
Colony, Borsi P.S. Pulgaon, Tehsil And District Durg Chhattisgarh

---- Respondent

For Petitioners

Shri Harshad Vyas, Advocate

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

07/07/2015

Heard on admission.

Challenge in the present writ petition filed under Article 227 of the Constitution of India is to the order dated 07.05.2015 passed by the Second Additional Principal Judge, Family Court, Durg granting Rs. 500/- as interim maintenance to the respondent.

Counsel for the petitioner submits that the petitioner is earning only Rs. 1,300/- per month and therefore it would be difficult for him to pay Rs. 500/- to the respondent. He submits that under the provisions of Section 125 Cr.P.C. the petitioner is already paying Rs. 1,000/- to his wife.

Heard counsel for the petitioner and perused the documents. From the order it is apparent that after considering all the aspects of the case including the income of the petitioner and considering the age of the respondent/daughter, the court below has awarded Rs. 500/- per month to be paid to the respondent. In the considered opinion of this Court, the amount awarded by the court below is not adequate however as no appeal has been preferred by the respondent this court is restraining itself to pass any order.

The petition has no substance the same is accordingly dismissed at the motion stage itself.

Sd/-
(Pritinker Diwaker)
Judge

