

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 518 of 2015**

Surendra Kumar Sahu, S/o. Late Gangaram Sahu, Aged about 35 years, resident of Village Semra D, Post-Dahi, Police Station Kurud, District- Dhamtari (C.G.)

---- Applicant**Versus**

Smt. Godavari Bai Sahu, Aged about 58 years, wife of Late Gangaram Sahu, at present resident of Shriram Nagar, Changorabhatha, Raipur, Tahsil & District Raipur (C.G.)

---- Non-applicant

For Applicant : Shri C.R. Sahu, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board**03/07/2015**

Heard on I.A. No.01/2015. This is an application for condonation of delay in filing the criminal revision.

On due consideration, I am satisfied that the applicant has succeeded in explaining the cause of delay in filing the criminal revision and, therefore, I.A. No.01/2015 is allowed. Delay in filing the revision is condoned.

(1) In an application under Section 125 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for maintenance filed by the non-applicant/Smt. Godavari Bai/mother against his son Surendra

Kumar Sahu/applicant, the Family Court, Raipur, by its impugned order dated 10.02.2015, passed in Criminal M.J.C. No.83/2013, granted Rs.1,000/- per month as allowance for maintenance to the non-applicant/Smt. Godavari Bai and recorded a finding that Smt. Godavari Bai's husband has already died and she is unable to maintain herself.

(2) Learned counsel appearing for the applicant submits that his mother/non-applicant is not residing with the applicant and she is residing with her daughter, finding sufficient means she is not entitled for maintenance.

(3) After hearing learned counsel appearing for the applicant and taking into consideration the finding recorded by the Family Court that the non-applicant/mother is unable to maintain herself, 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.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-