

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.695 of 2012**

Anil Kumar Tiwari, son of late Ramjilal Tiwari, aged about 45 years, Resident of Village Ward No.8, Behind B.T.I. Kobiya, Tahsil and Post Bemetara, District Durg (Now Bemetara), C.G. Pin Code 491335.

---Applicant**Versus**

Pyari Bai, wife of Shri Anil Kumar Tiwari, Aged about 32 years, resident of Village and Post Berga, Tahsil Saja, District Durg, C.G. Pin Code 491993

---Respondent

For Applicant	:	Mr. Praveen Dhurandhar, Advocate.
For Respondent	:	Mr. Aman Keshwani, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****30/09/2015**

1. In an application for maintenance filed by wife/respondent under Section 125 of the CrPC the Additional Principal Judge, Family Court (Link Court), Bemetara, in Misc. Criminal Case No.167/11, granted Rs.3000/- per month as maintenance to her finding relationship between husband and wife and wife is residing separately for sufficient cause and she is unable to maintain herself.
2. Learned counsel for the applicant would submit that the respondent is earning Rs.3563/- as honorarium as per Ex.D/1 and she is working as Anganwadi Karyakarta and the applicant is getting Rs.27,410/- per month after deduction of GPF and therefore, amount of maintenance is on higher side and deserves to be reduced suitably.
3. On the other hand, learned counsel for the respondent would

submit that the applicant is getting Rs.27,410/- per month and the respondent is on honorarium of Rs.3563/- and the applicant is working as Teacher in government school and therefore, amount of maintenance is said to be on higher side.

4. It is not in dispute that the Family Court after considering the income of the respondent as Rs.3563/- per month and finding that it is only on honorarium and there is no permanent job, granted Rs.3000/- per month as maintenance to the respondent.

5. Taking into consideration the cost of living, standard of living, price index and need for food, schooling, clothing and medical need, Rs.3000/- per month cannot be said to be on higher side warranting interference in exercise of revisional jurisdiction.

6. Consequently, the revision being without merit is liable to and is accordingly dismissed.

**Sd/-
(Sanjay K. Agrawal)
JUDGE**

B/-