

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 268 of 2010**

1. Shailendri Bai W/o Tuman Lal, aged about 18 years
 2. Ashish Kumar Jangde S/o Tuman Lal Jangde, aged about 2 years,
minor guardian through natural mother Shailendri Bai
- Both R/o Village Dhaba, Post Limtara, Tahsil Dhamdha, District Durg

---- Petitioners/Applicants**Versus**

Tuman Lal S/o Chunulal Jangde, aged about 21 years, R/o Village Dhaba, Post Limtara, Tahsil Dhamdha, District Durg

Respondent

For Petitioners/Applicants	:	Shri Vinod Kumar Sharma, Advocate appears on behalf of Shri Ajay Shrivastava, Advocate
For Respondent	:	Shri Keshav Dewangan, Advocate

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****04/08/2016**

1. This revision has been filed by the wife and a minor child aged about 2 years claiming enhancement of maintenance amount. The wife had filed the petition under Section 125 of Cr.P.C. on her own behalf and on behalf of minor child claiming maintenance before the Family Court. In the said petition, it was alleged that husband is working in Kedia Distillery and he is earning about Rs.6,000/- per month.
2. The Learned Family Court held that the claimants/petitioners were entitled to maintenance. It is also proved that the father of the husband was a Sarpanch and Learned Family Court awarded Rs.800/- per month to wife and Rs.500/- per month to minor child as maintenance.

3. I see no reason why the Learned Court below has awarded lessor amount. Even in the year 2010 a person employed in the factory would be earning Rs.200/- per day and Rs.6,000/- per month. Therefore, the order of Family Court is set-aside and the maintenance of Rs.800/- awarded is enhanced to Rs.1,500/- per month to wife and that child from Rs.500/- to 1,200/- per month from the date of filing of the application before the Learned Court below. The arrears of enhanced amount of maintenance shall be paid by the respondent/husband to petitioners/wife and minor child in twelve equal monthly installments and the future maintenance amount shall be paid on or before 15th of every month. The petitioners shall also be at liberty to file an appropriate application for enhancement of maintenance in terms of Section 127 Cr.P.C.

4. The revision is allowed and order of the Family Court is modified to the extent indicated above.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE