

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 63 of 2016

- Mohd. Rafi S/o Mohd. Rakib Aged About 33 Years R/o Central Excise Bhawan Barpali Chowk Champa P.S. Champa Rev. And Civil Distt. Janjgir Champa Chhattisgarh. (Non Applicant In The Trial Court).

---- Applicant

Versus

- Smt. Shiba Sultana W/o Mohd. Rafi Aged About 27 Years R/o Vijaynagar Devarikhurd P.S. Torwa, Tahsil Bilaspur, Rev. And Civil Distt. Bilaspur Chhattisgarh. (Original Applicants In The Trial Court).

---- Non-applicant

For Applicant	: Shri Praveen K.Tulsyan,Advocate
For Non-applicant	: None present.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

27/01/2016

Heard on admission.

Challenge in the present revision is to the order dated 21.5.2015 passed by the Family Court Bilaspur granting Rs. 4,000/- per month as interim maintenance to the non-applicant.

Counsel for the applicant submits that the monthly income of the applicant is Rs. 5,876/- and therefore it will be difficult for him to pay Rs. 4,000/- as interim maintenance to the non-applicant. He further submits that the non-applicant is working as Shiksha Karmi and therefore also she is not entitled for any interim maintenance.

While passing the order impugned it has been observed by the Family Court that the applicant has rental income as well and as the non-applicant has denied his employment, nor any such document has been filed by the applicant in this respect the applicant is to pay Rs. 4,000/- per month as maintenance amount.

I find no reason to interfere with the order impugned as it relates to

grant of interim maintenance, the revision is accordingly dismissed. However from the documents as filed it appears that the case is pending before the Family Court since last more than one year, the court below is directed to decide the main case itself as expeditiously as possible preferably within a period four months from the next date of hearing subject to cooperation by the applicant.

Sd/-

Pritinker Diwaker
Judge