

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Criminal Revision No. 51 of 2012**

1. Smt. Anita Kumari W/o Rameshwar, D/o Motilal, Caste-Gond
2. Ku. Khusbu D/o Rameshwar, Caste – Gond (minor) through natural guardian mother Smt. Anita Kumar W/o Rameshwar

Both are resident of village Madanpur, Police Station and Tahsil –
Baikunthpur, District Korea, CG

---- Applicants**Versus**

Rameshwar S/o Brijlal, Caste Gond, Occupation Shiksha Karmi, R/o Telsara
(Imalipara) P.S. & Tahsil Surajpur, District Surguja, CG

---- Respondent

For Applicants	:	Shri Anil Gulati, Advocate
For Respondent	:	Shri Adil Minhaj, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22/12/2016**

The present revision petition has been preferred assailing the order dated 30.11.2011 passed by the Family Court (Camp Court Baikunthpur) in Misc. Criminal Case No.43/2011 whereby the Court below in a proceeding under Section 125 of CrPC had allowed the application and ordered the respondent for payment of Rs.1,000/- to applicant no.1 and Rs.500/- to applicant no.2 per month as maintenance.

2. It is this order which has been assailed by the applicants by way of the present revision petition seeking for enhancement of the maintenance granted by the Court below.

3. The impugned order was passed on 30.11.2011 i.e. almost five years ago. The said order has not been questioned by the respondent-husband and

as such, the said order of grant of maintenance has attained its finality. It is five years down line the applicants can now claim for enhancement of the maintenance by a separate proceeding under Section 127 of CrPC.

4. It is stated by the counsel for the respondent that the applicants have already moved an application under Section 127 of CrPC for enhancement before the Court below wherein the order has also been passed though he has not received the copy of the said order.

5. In view of the same, without entering into the merits of the case, the present revision petition is being disposed of with the liberty to the applicants to approach the Court below for enhancement of maintenance amount if till date they have not moved any application u/s 127 of CrPC for enhancement.

6. Needless to mention that the parties to the dispute shall also have the liberty of challenging any order passed in this regard by the Court below.

Sd/-
(P. Sam Koshy)
JUDGE