

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 53 of 2016**

1. Shiv Kumari W/o Shyam Lal Sahu Aged About 28 Years D/o Babulal Sahu, Occupation Housewife, R/o Near Darri Talab, Sonumuda, Transport Nagar, Bypass Road Raigarh, Tahsil & District Raigarh Chhattisgarh.
2. Minor Sneha Sahu D/o Shyam Lal Sahu Aged About 10 Years Represented Through Mother Shiv Kumari Sahu, Occupation - Student, R/o Near Darri Talab, Sonumuda, Transport Nagar, Bypass Road Raigarh, Tahsil & District Raigarh Chhattisgarh.

---- Applicants**Versus**

Shyam Lal Sahu S/o Lakhan Lal Sahu Aged About 35 Years
Occupation Hotel Business, R/o Madhubanpara, Bhanupratap
Colony, Raigarh, Tahsil & District Raigarh Chhattisgarh.

---- Respondent

For Applicants:
For Respondent:

Mr. Ashish Gupta, Advocate
Mr. Abhishek Saraf, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12.05.2016**

1. The present Revision under Section 19(4) of the Family Courts Act, 1984 has been filed seeking enhancement in maintenance amount awarded by the Family Court, Raigarh in Misc. Criminal Case NO. F-04/2015 on 08.01.2016.
2. Vide the said impugned order the Family Court, Raigarh has granted maintenance amount to the tune of Rs. 2000/- p.m. to the Applicant No.1 and Rs. 1000/- p.m. to Applicant No.2.
3. Learned Counsel for the Applicants submits that the amount of maintenance awarded by the Court below is on the lower side and that taking into consideration the evidence which has come on record the maintenance amount deserves to be enhanced. Since the Respondent

is in the business of running a hotel at Raigarh, he earns about Rs. 40,000/- p.m. and therefore the amount awarded is too meagre and should be enhanced.

4. Learned Counsel for the Respondent however opposing the Petition submits that admittedly father of the Respondent has a Tea shop which is being branded as a hotel and it is a small Tea shop and does not earn much but barely only for the survival of the family of the Respondent as well as his parents. He further submits that the Court below in Paragraph 8 of the impugned order has very categorically given a finding that the present Applicants the Court below were unable to establish the actual income of the Respondent and also it is only from the evidence of the Respondent that inference is being tried to be drawn for enhancement of the maintenance amount.

5. Taking into consideration the above facts and circumstances of the case, in the opinion of this Court there is no infirmity or illegality committed by the Court below while leading to the conclusion awarding maintenance amount of Rs. 2000/- p.m. to the Applicant No.1 and Rs. 1000/- p.m. to Applicant No.2. The said order does not warrant interference as no good ground or material could be brought to the notice of the Court.

6. Therefore, we find no merit in the case, accordingly the present Revision is dismissed.

Sd/-
(P. Sam Koshy)
JUDGE