

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**First Appeal (M) No.24 of 2016**

- Smt. Sushma Rani Patre W/O Narendra Patre, Aged About 24 Years D/O Moolchand Banjara, R/O Village Palachuwa (Piparpara) Tahsil & District Mungeli, Chhattisgarh(Non-Applicant)

---- Appellant

Versus

- Narendra Kumar Patre S/O Jankram Patre, Aged About 29 Years R/O Village Belsari, Tahsil & District Bilaspur, Chhattisgarh(Applicant)

---- Respondent

For the appellant	:	Smt. Renu Kochar, Advocate.
For respondent	:	Shri SK Guha

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board**Per Prashant Kumar Mishra, J****30.06.2016**

This is an appeal against the order passed by Family Court refusing to allow the litigation expenses in favour of the appellant.

2. Admittedly, both the parties are working as Shiksha Karmi and thus both of them have their own independent income sufficient for their support and for the necessary expenses of the proceedings. It is nowhere stated by the appellant in her application for maintenance that litigation expenses is of such magnitude that her independent source of income is not sufficient to meet those expenses.

3. In view of Section 24 of Hindu Marriage Act, 1955 and for the fact that the appellant being employed as Shiksha Karmi and

has her own independent income, while passing the order the Family Court has not committed any such error warranting interference of this Court. Accordingly, the appeal is dismissed. However, the Family Court is directed to make all possible endeavor to dispose of the matrimonial suit at the earliest.

Sd/-
(Prashant Kumar Mishra)
JUDGE

Sd/-
(Chandra Bhushan Bajpai)
JUDGE