

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 28 of 2016

1. Smt. Neha Pandey (Shukla) D/o Shri Vidhushekhar Pandey, Aged About 29 Years W/o Nitin Kumar Shukla, Through Shri Vidhushekhar Pandey, R/o Qtr. No. 12, F-Street K.C.S., Sector 08, Bhilai Nagar, Durg, District Durg (Chhattisgarh)..... (Defendant)

---- Petitioner

Versus

1. Nitin Kumar Shukla S/o Satyanarayan Shukla, Aged About 32 Years R/o House No. 20, Street No. 2-A, Steel Colony, Nahru Nagar (West), Bhilai, Tahsil And District Durg (Chhattisgarh)..... (Plaintiff)

---- Respondent

For Appellant
For Respondent

Shri T.K. Jha, Advocate
Shri Anand Dadariya, Advocate

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

Order On Board

24/06/2016

1. This appeal under Section 19 of the Family Courts Act, 1984 has been preferred to challenge the order passed by the Family Court, Durg, whereby the application of the appellant filed under Section 24 of the Hindu Marriage Act, 1955 for grant of traveling expenses has been rejected, however, the Family Court has allowed a sum of Rs.15,000/- as litigation expenses to be paid by the respondent to the appellant.

2. Upon hearing learned counsel for the parties and on perusal of the record, it would appear that while the appellant wife is working at Pune on monthly salary of Rs.40,000/- the respondent husband, who has instituted the matrimonial suit, is working with a company at Bangalore on monthly salary of Rs.1.50 lacs (approx.).
3. According to the appellant, both the parties had earlier resided in United States of America (USA) and were pulling on well, however, because of differences, which is the subject matter to be decided by the Family Court, the respondent has filed the matrimonial suit at Durg even though he is residing at Bangalore.
4. Be that as it may, for the present this Court is concerned about the appellant's prayer for grant of traveling expenses to attend the hearing at Durg, therefore, considering the entire facts and circumstances of the case, this appeal is disposed of with a direction that the respondent husband shall pay a sum of Rs.4,000/- to the appellant for the journey she has undertaken or would undertake to attend each date of hearing, from the date of filing of the suit. The amount of Rs.4,000/- is arrived at on the basis of information supplied by the learned counsel appearing for the parties that one way ticket for 3rd AC from Pune to Durg costs Rs.1,700/-.

5. Order sheets of the Family Court would reveal that the matter is fixed for evidence, therefore, the Family Court is directed to conclude the trial at the earliest preferably within a period of six months from today.

Sd/-

Judge

Prashant Kumar Mishra

Sd/-

Judge

Chandra Bhushan Bajpai

Gowri