

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 477 of 2016**

1. Ajay Kashyap S/o Late Ramprasad, Aged About 35 Years R/o Karbala Road, Near Old B J P Office, Police Station- City Kotwali, Tahsil And District- Bilaspur (Chhattisgarh)
2. Sanjay Kashyap S/o Late Ramprasad, Aged About 33 Years R/o Karbala Road, Near Old B J P Office, Police Station- City Kotwali, Tahsil And District- Bilaspur (Chhattisgarh)

---- Applicant

Versus

Smt. Ganga Kashyap Wd/o Late Ramprasad Kashyap, Aged About 65 Years R/o Karbala Road, Near Old B J P Office, Police Station- City Kotwali, District- Bilaspur (Chhattisgarh)

---- Respondent

For Applicants:

Mr. N.K. Chatterjee, Advocate

For Respondent :

None.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13.06.2016**

1. The present revision has been preferred challenging the order dated 03.03.2016 passed by the Family Court, Bilaspur in Miscellaneous Criminal Case No. 357/2015 whereby the Court below entertained a proceeding under Section 125 of Code of Criminal Procedure granting interim maintenance to the non-Applicant of Rs. 1000/- p.m. to be paid by the each Applicants i.e. Rs. 2000/- to the non-Applicant.

2. It is not in dispute in the instant case that the non-Applicant being mother of the applicants and the present Applicants are also residing in the same premises, and that the non-Applicant moved an application under Section 125 seeking for maintenance along with an application for grant of interim relief.

3. Considering the total facts and circumstances of the case, more particularly the nature of the relationship between the Applicants and the non-Applicant and also further taking note of the fact that it is only interim maintenance which has been awarded and the claim case of the non-Applicant before the Family Court is still pending final adjudication, this Court is of the opinion that the Court below does not seem to have committed any error of facts or the law and hence the decision of the Court below of granting interim maintenance does not call for interference by this Court exercising its revisional power.

4. For the aforesaid facts, this Court is of the opinion that no strong case has been made out calling for interference of the impugned order.

5. Accordingly, the Revision Petition being devoid of merit, the same is dismissed.

Sd/-
(P. Sam Koshy)
JUDGE