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HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 30 of 2012**

Devanand Sahu, S/o Lokdas Sahu, aged about 30 years, R/o Village Mujgahan, Post Mujgahan, P.S. Devri (Bangla), Tahsil and District Durg (C.G.)

---- Petitioner**Versus**

1. Smt. Poornima, W/o Devanand Sahu, aged about 26 years
2. Ku. Lalita @ Keshari, D/o Devanand Sahu, aged about 5 years & 6 months
3. Yaman Kumar, S/o Devanand Sahu, aged about 8 months

No. 2 & 3 are minor through natural guardian mother Smt. Poornima Sahu, W/o Devanand Sahu, All are resident of Village Farhad, Labour Colony, P.S. & Post Somani, Tahsil & District Rajnandgaon (C.G.)

----Respondents

For Petitioner	:	Shri Shivendra Bhardwaj, Advocate
For Respondents	:	Shri Sameer Singh, Advocate

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****16/09/2016**

1. This revision is directed against the judgment dated 25.11.2011 passed in Miscellaneous Criminal Case No. 130/2010 by Family Court, Rajnandgaon, whereby, respondent No.1/wife was awarded maintenance of Rs.1,000/- per month and each of the two minor children/respondents No. 2 & 3 were awarded Rs.500/- per month.
2. It is not disputed that respondent No.1 is wife and respondents No. 2 & 3 are minor children of the Petitioner. It is urged that the Petitioner is

a Shiksha Karmi and is getting salary of Rs.6,000/- per month only and, therefore, the maintenance awarded in favour of the respondents is very much on higher side. It is submitted on behalf of the Petitioner that keeping in view the income of the Petitioner the amount of maintenance may be reduced.

3. The wife has been awarded maintenance of Rs.1,000/- per month. The children have been awarded maintenance of only Rs.500/- per month each, which is a meagre amount. How can one expect the children to survive only on Rs.500/- per month in these days.
4. It is made clear that the respondent/wife, if so advised, may file a fresh application under Section 127 Cr.P.C. for enhancement of the maintenance if she can prove that the husband/petitioner is earning more.
5. In view of the above, the revision petition and application (I.A. No. 1 of 2016) for urgent hearing stand disposed of.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE