

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Criminal Revision No. 931 of 2016**

Arjunram Sahu S/o Pokhruram Sahu, aged about 42 years, R/o Village- Silouti, Post Office & Police Station- Bhakhara, Tahsil- Kurud, District- Dhamtari, Chhattisgarh.

---- Applicant**Versus**

1. Pokhruram Sahu S/o Late Tijwaram Sahu, aged about 65 years, R/o Village- Silouti, Post Office & Police Station- Bhakhara, Tahsil- Kurud, District- Dhamtari, Chhattisgarh.
2. Smt. Kachribai Sahu W/o Pokhruram Sahu, aged about 60 years, R/o Village- Silouti, Post Office & Police Station- Bhakhara, Tahsil- Kurud, District- Dhamtari, Chhattisgarh.
3. Pardeshiram Sahu S/o Pokhruram Sahu, aged about 38 years, R/o Village- Silouti, Post Office & Police Station- Bhakhara, Tahsil- Kurud, District- Dhamtari, Chhattisgarh.
4. Ishwar Sahu S/o Pokhruram Sahu, aged about 30 years, R/o Village- Silouti, Post Office & Police Station- Bhakhara, Tahsil- Kurud, District- Dhamtari, Chhattisgarh.

---- Respondents

For Applicant : Shri Shivendu Pandya, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****05/12/2016**

The present revision petition has been preferred assailing the order dated 30.06.2016 passed by the Family Court, Dhamtari in M.J.C. No. 100/2015. Vide the said impugned order the Family Court in a proceeding under Section 125 of CrPC has ordered each of the applicant and the respondents 3 & 4 for payment of Rs.1,200/- to respondent no.1 and Rs.1,300 to respondent no.2.

2. All the three respondents before the Court below i.e. the applicant herein and respondents 3 & 4 in the present case are the children of Respondents 1 & 2.

3. From the record it clearly reflects that the other sons i.e. respondents 3 & 4 have not challenged the impugned order and only the present applicant has challenged the said order.

4. Counsel for the applicant submits that he intends to assail the impugned order on the sole ground that the applicant is ready to keep his parents i.e. respondents 1 & 2 along with him and there is no strong reason for them not to live with the applicant in spite of the fact that he is their eldest son. Hence, prayed for setting aside of the impugned order.

5. Having considered the contention put forth by the counsel appearing for the applicant and on perusal of the record what clearly reflects is that it has been proved by the claimants i.e. respondents 1 & 2 before the Court below by leading cogent evidence that they are not having sufficient means to sustain themselves and therefore, it is the bounden duty of the children to take care of their parents at their old age. It has also come during the course of evidence that the land belonging to the claimants was also being cultivated by the children but the claimants were not being provided sufficient means to maintain themselves. The Court below further considering the total facts and circumstances of the case and also the agricultural land belonging to the children reached to the conclusion that each of the children would pay an amount of Rs. 1,200/- to their father and Rs.1,300/- to their mother totaling Rs.2,500/- per month.

6. Taking into consideration the means that the children have and the agricultural land which they are in possession and also considering the present day cost of living this Court does not find any illegality or infirmity committed on the part of the Court below in reaching to the conclusion of directing the applicant and the respondents 3 & 4 each to make payment of Rs. 2,500/- per month to their parents.

7. Accordingly, the present criminal revision being devoid of merit stands dismissed.

**Sd/-
(P. Sam Koshy)
JUDGE**