

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 114 of 2015

- Sanjay Singh Chouhan S/o Late Shri Ram Singh Chouhan, Aged About 43 Years, R/o Manish Complex, Palace Road, Jagdalpur, P.S. Kotwali, Jagdalpur, Civil And Revenue District- Bastar (Chhattisgarh), (Non- Applicant No. 1)

---- Appellant

Versus

1. Smt. Reeta Chouhan Wd/o Late Shri Manish Chouhan, R/o Sadar Ward, P.S. Kotwali Jagdalpur, Civil And Revenue District- Bastar (Chhattisgarh), (Applicant)
2. Lalit Chouhan S/o Late Shri Ram Singh Chouhan, Aged About 31 Years, R/o Main Road, Jagdalpur, P.S. Kotwali Jagdalpur, Civil And Revenue District- Bastar (Chhattisgarh), (Non- Applicant No. 2)
3. Gyanendra Singh Chouhan S/o Late Shri Ram Singh Chouhan, Aged About 60 Years, R/o Main Road, Pratapganj Para, Palace Road, Jagdalpur, P.S. Kotwali Jagdalpur, Civil And Revenue District- Bastar (Chhattisgarh), (Non- Applicant No. 3)

---- Respondents

For Petitioner.	:	Shri Avinash K. Mishra, Advocate.
For Respondent No.1.	:	Shri Manoj Paranjape, Advocate.
For Respondent No.2.	:	Shri Subhash Yadav, Advocate.

Hon'ble Shri Justice Pritinker Diwaker
Hon'ble Shri Justice Inder Singh Uboweja

Order On Board

By Pritinker Diwaker, J

06/05/2016

With the consent of the parties, the matter is heard finally.

1. Challenge in the present appeal is to the order dated 11.02.2015 passed by the Family Court, Jagdalpur, District Bastar (C.G.) in Civil M.J.C. No.17/2014 granting interim maintenance of Rs.15,000/- in favour of respondent No.1 and assessing the liability of the appellant to the tune of Rs.10,000/- per month.
2. After detailed argument, counsel for the appellant submits that purpose of filing this appeal would be served if the liability of the appellant may be

reduced from Rs.10,000/- to Rs.5,000/- per month as interim maintenance till the decision of the main case and the Family Court may be directed to decide the main case expeditiously.

3. Counsel appearing for respondents have no objection to the proposition as put-forth by the appellant.
4. In the facts and circumstances of the case, without adverting to various points raised by the appellant in this appeal, the present appeal is disposed of directing the appellant to pay Rs.5,000/- as interim maintenance to respondent No.1 till the decision of the main case. As there is no challenge to the remaining part of the impugned judgment, the same shall remain intact. The Family Court is further directed to decide the main case itself expeditiously, preferably within a period of six months from the next date of hearing.
5. As the record of the Court below is before this Court, the Registry is directed to send back the records of the Family Court immediately. All the parties are directed to appear before the Family Court on **15th July, 2016**.
6. The Family Court, while deciding the main case, shall not be influenced by any of the observations made herein by this Court.

Sd/-

(Pritinker Diwaker)
JUDGE

Sd/-

(I.S. Uboweja)
JUDGE