

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Criminal Revision No. 1107 of 2016**

Kamdev Banjare S/o Moolchand Banjare, aged about 27 Years, R/o Village - Rudri, Police Station Rudri, District Dhamtari, Chhattisgarh

---- Applicant**Versus**

1. Smt. Lalita Banjare W/o Shri Kamdev Banjare, aged about 25 years, R/o - Near School Hathkhoj Para, Utai, Police Station Utai, Tahsil and District Durg, Chhattisgarh
2. Jigar Banjare S/o Kamdev Banjare, aged about 2 years minor through natural guardian - mother Smt. Lalita Banjare, R/o Near School, Hathkhoj Para, Utai, Police Station Utai, Tahsil and District Durg, Chhattisgarh

---- Respondents

For Applicant : Shri Malay Ku. Bhaduri, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****02/12/2016**

The present revision petition has been preferred assailing the order dated 04.08.2016 passed by the 1st Additional Principal Judge, Family Court, Durg in Misc. Criminal Case No. 253/2015.

2. Without entering into the merit of the case what this Court feels is that the impugned order was an *ex parte* order and that the applicant may move an appropriate application for setting aside the said *ex parte* order. In the event of the said application is allowed, the applicant would get opportunity to lead evidence to disprove the contention of the respondents.

3. In view of the fact that there is a remedy available to the applicant against the impugned order, this Court does not find it proper to go into the merits of the case.

4. Thus, the present criminal revision is disposed of with a liberty to the applicant to move an appropriate application before the Court below, if so desire, for setting aside of the impugned order.

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