

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 8 of 2016

- Abhishek Kumar Ghosh, S/o Late Ashish Kumar Ghosh, Aged About 33 Years, R/o Shivnand Nagar, Khamtarai, District Raipur, Chhattisgarh

---- Appellant

Versus

- Smt. Vijeta Ghosh, W/o Abhishek Kumar Ghosh, Aged About 28 Years (D/o Vipul Bhushan Dev), R/o Behind Jamal Mill, Mata Mandir Gali, Shikshak Sadan, Kumharpara, Jagdalpur, District Bastar, Chhattisgarh

---- Respondent

For Appellant	:	Mr. P.P. Sahu, Advocate.
For Respondent	:	Not noticed

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

Order on Board by Pritinker Diwaker, J

05/02/2016

1. Heard on I.A. No. 01/2016, application for condonation of delay in filing the appeal.
2. For the reasons mentioned in the application, the same is allowed and delay in filing the instant appeal is condoned.
3. Also heard on admission.
4. On an application filed by the respondent under Section 24 of the Hindu Marriage Act, the Family Court vide order dated 03.07.2015 has granted Rs.2,000/- per month as maintenance *pendente lite* and Rs.5,000/- for litigation expenses to the respondent. Instead of complying this order, on 05.08.2015 the appellant filed an application stating that respondent is earning Rs.6,240/- per month and therefore,

she is not entitled for any maintenance and suppressing this fact the order was obtained by her and therefore, the order dated 03.07.2015 passed in favour of respondent be cancelled. This application has been rejected by the Court below vide impugned order dated 18.09.2015 and it is this order which has been assailed in this appeal.

5. From perusal of the order dated 03.07.2015, it is apparent that after considering all the points raised by the appellant including that the respondent was earning, the Court below has passed order granting maintenance *pendente lite*.
6. There is no illegality or infirmity in the order impugned warranting interference by this Court. The appeal has no substance and the same is accordingly dismissed at the motion stage itself.

Sd/-
(Pritinker Diwaker)
JUDGE

Sd/-
(I.S. Uboweja)
JUDGE