

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Criminal Revision No.203 of 2016**

Mohan Lal S/o Ramsay Rajwade, aged about 40 years, R/o Village Sardi, Police Station Charcha, Tehsil Baikunthpur, Civil and Revenue District Korea (CG).

**---- Applicant****Versus**

Smt. Munni Bai W/o Mohan Lal Rajwade, aged about 32 years, R/o village Kachardand, Police Station and Tehsil Sonhat, Civil and Revenue District Korea (CG).

**Respondent**

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| For Applicant  | Shri Anil Gulati, Advocate.  |
| For Respondent | Shri Waqur Naiyer, Advocate. |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****29/04/2016**

1. By way of this petition, the applicant seeks to challenge the order dated 27.06.2015 passed by the Judge, Family Court, Baikunthpur, in Misc. Criminal Case No.118/2014 whereby the court below has enhanced the maintenance amount payable to the respondent from Rs.1200/- to Rs.5000/- per month.
2. Learned counsel appearing for the applicant submits that enhancement of maintenance amount from Rs.1200/- to Rs.5000/- per month by the Family Court is shockingly on the higher side and that if the said amount is paid to the respondent then, the applicant will find it difficult to sustain himself.

3. Learned counsel appearing for the State, however, opposes the revision and submits that there is a categorical findings of fact by the court below in paragraph-7 wherein it has been held that the applicant is an employee of South Eastern Coalfields Limited and is drawing salary of more than Rs.55000/- per month, and therefore had enhanced the amount of maintenance to Rs.5000/-. Hence, it cannot be said to be on the higher side as the same would not affect the applicant much.
4. Taking into consideration the submissions made by either side and also on perusal of the record it is not disputed by the counsel for the applicant that he is not an employee of SECL and is getting monthly salary of above Rs.50000/-.
5. In the given facts and circumstances of the case, this court is of the opinion that no infirmity or illegality has been committed by the court below while enhancing the maintenance amount from Rs.1200/- to Rs.5000/- per month.
6. Accordingly, the petition fails and the same deserves to be and is hereby dismissed.

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

inder