

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.232 of 2012

1. Smt. Santoshi Pal, wife of Bhupendra Pal, aged about 25 years,
2. Kumari Payal, D/o Bhupendra Pal, aged about 5 years, minor through Natural Guardian Mother Smt. Santoshi Pal,

Both are resident of Village Shivpuri, Police Station Jamul, Tahsil and District Durg, Chhattisgarh

---- Petitioners

versus

Bhupendra Pal, S/o Ramji Pal, aged about 30 years, R/o Vikash Bihar Colony, Raipur, Tahsil and District Raipur, Chhattisgarh

---- Respondent

For Petitioners	:	Shri Praveen Dhurandhar, Advocate
For Respondent	:	None

Hon'ble Shri Deepak Gupta, Chief Justice

Order on Board

9.12.2016

1. This revision petition by the wife and daughter is directed against the order dated 26.12.2011 passed by the Principal Judge, Family Court, Durg in Miscellaneous Criminal Case No.150 of 2010, whereby Learned Principal Judge awarded maintenance of Rs.1,000/- per month to the wife and Rs.1,500/- per month to the daughter.
2. No representation has been made on behalf of the Respondent/husband.
3. It is not disputed that the marriage between the parties took place in the year 2003 and out of this wedlock a daughter was born 2-3 years later. The allegation of the wife is that the husband used to harass her and, therefore, she was compelled to leave the matrimonial house along with the daughter. The Learned Principal Judge accepted the case of the wife and he found the income of the husband to be Rs.4,000 – 4,500/- per month and awarded maintenance of Rs.1,000/-

per month to the wife and Rs.1,500/- per month to the daughter. It is not disputed by the husband that he runs a shop for selling chicken in Raipur Town. In a town like Raipur, which is the capital of the State of Chhattisgarh, such a shop owner would not earn less than Rs.500/- per day, i.e., Rs.15,000/- per month. Therefore, I am of the view that the maintenance needs to be suitably enhanced.

4. Accordingly, I enhance the maintenance amount payable to the wife to Rs.2,000/- and for the daughter to Rs.3,000/- per month i.e. a total of Rs.5,000/- per month. The enhanced amount of maintenance shall be payable to them with effect from 1st of December, 2016.
5. The revision petition is allowed in the aforesaid terms.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE