

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRIMINAL REVISION NO. 358 OF 2016

- Teera Singh son of late Mukhtar Singh, aged about 30 years, R/o House No. 238, Contractor Colony, Supela, Bhilai, P.S. Bhilai, Tahsil and District Durg (C.G.)

... Applicant

Versus

1. Smt. Prempreet Kour wife of Shri Teera Singh, aged about 26 years
2. Ku. Preet Kour, D/o. Teera Singh, aged about 07 years,
3. Viraj Singh son of Teera Singh, aged about 03 years,

No.2 & 3 are minor, through the legal guardian mother Smt. Prem Preet Kour (Respondent No.1)

All are R/o House No. 238, Contractor Colony, Supela, Bhilai, P.S. Bhilai, Tahsil and District- Durg (C.G.)

... Non-applicants

For Applicant : Mr. C.R. Sahu, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/04/2016

1. Challenge through the present Criminal Revision is to the order dated 18.3.2016 passed by the First Additional Principal Judge, Family Court, Durg in Criminal M.J.C. No. 78 of 2016. Vide impugned order dated 18.3.2016, the Court below has directed to pay an amount of Rs.1000/- to each of the Non-applicants as interim maintenance.

2. Learned Counsel for the Applicant submits that the income of the Applicant is too meagre and the payment of Rs.3000/- as interim maintenance to the Non-applicants would put the Applicant in financial crisis and it would be difficult for him to sustain himself and other dependants on him. He further submits that the Applicant is working as *Hamal* in the Municipal Corporation, Bhilai and therefore the impugned

order deserves to be interfered with and the amount awarded as interim maintenance should be reduced.

3. Taking into consideration the total facts and circumstances of the case, the pleadings which have come on record and which are undisputed, particularly, the fact that the Applicant is an employee working in the Municipal Corporation, Bhilai, this Court is of the opinion that there is no infirmity or illegality committed on the part of the Court below in reaching to the amount of interim maintenance to be given to the Non-applicants and neither can it be said to be exorbitant or on higher side.

4. The revision petition is accordingly dismissed being devoid of merits.

Sd/-
(P. Sam Koshy)
Judge

/sharad/