

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 460 of 2016**

Rajesh Kumar S/o Late Sanad Ram, aged about 34 years, R/o
Quarter No. M.Q. 259, Deepka Colony, SECL, District Korba (CG)

---- Applicant**Versus**

1. Smt. Triveni Bai W/o late Sanad Ram
2. Ku. Rachna Verma D/o Late Sanad Ram
3. Ku. Chandan Verma D/o Late Sanad Ram
4. Ghanshyam Verma S/o late Sanad Ram
5. Ku. Jyoti Verma D/o late Sanad Ram

All the non-applicants are resident of Quarter No. M.Q 259, Deepka
Colony, SECL, District Korba (CG)

---- Respondents

For Applicant : Shri Ravi Maheshwari, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****13/06/2016**

Challenge in the present Revision is the order dated 08.04.2016 passed by the Family Court, Katghora, District Korba in M.J.C. No. 41 of 2014 whereby the Court below in a proceeding under Section 127 CrPC has enhanced the maintenance amount from Rs.1750 to Rs.3250 payable to the Respondents.

2. The case in brief is that the respondents who are the step mother, brother and sisters of the applicant had initially filed an application under Section 125 of CrPC seeking for maintenance from the present applicant on account of the fact that the applicant had got compassionate appointment on the ground of death of his father who was an employee of SECL. The Family Court vide order dated 08.02.2008 allowed the

application under Section 125 CrPC and passed an order granting an amount of Rs.1750 per month as maintenance to the respondents.

3. In the year 2014, the respondents again moved an application under Section 127 of CrPC seeking for enhancement of maintenance amount. The claim for enhancement of maintenance by the respondents was on account of the cost of living having been increased and also the financial status and the salary of the applicant having been increased manifold because of the periodical revision of pay that had taken place in SECL where the applicant as an employee. Considering these facts and circumstances of the case, the Court below vide impugned order dated 08.04.2016 enhanced the maintenance amount from Rs.1750 to Rs.3250 which is under challenge in the present criminal revision.

4. Taking into consideration the overall factual matrix which has come on record and the revision of pay, this Court is of the opinion that the enhancement of maintenance amount by Rs.50 per day i.e. total Rs.1500 per month by the Court below cannot be said to be exorbitant nor it can be treated to be on higher side considering the fact that the applicant is an employee of SECL.

5. Thus, the present Criminal Revision being devoid of merit deserves to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
JUDGE