

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 191 OF 2004

Sunil s/o. Baburao Aradwad ..Applicant
Age. 30 years, Occ. Agriculture,
R/o. Wanjarwadi, Tq. Ahmedpur,
Dist. Latur.

Versus

1. Sushila w/o. Sunil Aradwad ..Non-applicants
Age. 25 years, Occ. Household,
R/o. Wanjarwadi, Tq. Ahmedpur,
Dist. Latur.
2. Rupali @ Puja d/o. Sunil Aradwad,
Age. 8 years, Being Minor u/g of
her mother, non-applicant No.1.

None for the parties.

CORAM : Z.A. HAQ, J.

DATED : 15.12.2016

ORAL JUDGMENT :-

. None appeared for the applicant as well as the non-applicants on 8th September, 2016. The matter was adjourned. Today again none appeared for the applicant as well as the non-applicants, when the matter is called out.

. The applicant (husband of non-applicant No.1 and father of non-applicant No.2) has filed this Revision

Application challenging the judgment passed by the Sessions Court partly allowing the revision application, filed by the non-applicants and enhancing the amount of maintenance payable to non-applicant No.1 from Rs.400/- per month to Rs.1000/- per month and from Rs.200/- per month to Rs.500/- per month to the non-applicant No.2, by modifying the judgment passed by the Magistrate.

02. The subordinate Courts have concurrently recorded that the applicant has failed to discharge his obligation of providing maintenance to the non-applicants, without any reason. The applicant at the time of filing of the Revision Application in 2002 was aged about 26 years. In the memorandum of the Revision, which was filed by the non-applicants, it was shown that the present applicant is an agriculturist and a businessman. In the memorandum of Revision filed by the applicant before this Court, he himself has shown that he is an agriculturist. Thus, it cannot be said that the applicant is not having any source of income. In paragraph No.4 of the judgment passed by the learned Additional Sessions Judge, it is recorded that the applicant is living in a joint family, which is having 11 Hectare 37 R irrigated land. In the above facts, I see no reason to interfere with the judgment passed by the learned Additional Sessions Judge directing the applicant

to pay maintenance to the non-applicant No.1 at the rate of Rs.1000/- per month and to the non-applicant No.2 at the rate of Rs.500/- per month.

. In the memorandum of the Revision, the age of the non-applicant is shown as 8 (eight) years. The judgment passed by the learned Additional Sessions Judge requires modification only to the extent that the applicant shall be liable to pay the amount of maintenance to non-applicant No.2-Rupali till the date of her marriage.

03. With the above modification, the impugned judgment is maintained. The Criminal Revision Application is disposed. In the circumstances, the parties to bear their own costs.

[Z.A. HAQ, J.]