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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.319 of 2017**

Smt. Rainpreet Kaur @ Rajjee Kaur, W/o Kulbeer Singh Chhabra, aged about 36 years, R/o Chawla Cycle Stores, C/o Darshan Singh Chawla, Kabirdham, District Kabirdham, Chhattisgarh.

---- Petitioner**Versus**

Kulbeer Chhabra, S/o Gurucharan Singh Chhabra, aged about 40 years, R/o Diwanpara, Ward No.22, Rajnandgaon, District Rajnandgaon (CG).

--- Respondent

For Petitioner : Mr. Sachin Singh Rajput, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board**26/04/2017**

(1) The petitioner/wife has preferred this writ petition under Article 227 of the Constitution of India against the impugned order dated 29.11.2016 passed by Family Court, Rajnandgaon by which, the Family Court has granted Rs.1,200/- towards travelling expenses for each date of hearing and Rs.10,000/- towards litigation cost.

(2) Learned counsel appearing for the petitioner would submit that maintenance pendente lite amount granted to the petitioner is only Rs.1,500/- per month and that has not been enhanced by the impugned order.

(3) I have heard learned counsel for the petitioner and perused the impugned order.

(4) The petitioner was granted interim maintenance by order dated 16.09.2014 passed by Family Court. Against that order, the petitioner preferred a First Appeal (M) bearing FAM No.13 of 2017 before the Division Bench of this Court, which was dismissed as withdrawn with liberty to file suitable application for enhancement of maintenance pendente lite before the Family Court and, thereafter, the petitioner preferred an application before the Family Court for enhancing the maintenance pendente lite. The Family Court by its impugned order dated 29.11.2016 has held that an amount of Rs.1500/- per month as pendente lite maintenance is not required to be enhanced. The petitioner is getting Rs.1,500/- per month as pendente lite maintenance, Rs.1,200/- as travelling expenses and Rs.10,000/- as total litigation expenses.

(5) Considering the scope of application for enhancement of the interim maintenance amount and the finding recorded by the Family Court and the main application has already been in advance stage and fixed for the evidence of the petitioner/wife, I do not consider it is a fit case to interfere with the impugned order of Family Court.

(6) Consequently, the writ petition filed under Article 227 of the Constitution of India deserves to be and is accordingly dismissed.

SD/-

(Sanjay K. Agrawal)
Judge

L/-