

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (227) No. 324 of 2017**

Naresh Dhuppar, S/o Shri Madanlal Dhuppar, aged about 54 years, R/o-Bhumi Engineering, L-200/1/2, G.I.D.C. - Sachin, Surat, District – Surat (Gujrat) (Non-applicant)

---- Petitioner**Versus**

1. Anita Saluja, D/o Late Shri Harvansh Lal, aged about 53 years, R/o- Shivaji Marg, Jethwa Gali, Near Ambe Apartments, Tikaraplara, Bilaspur (C.G.)
2. Isha Dhuppar, D/o Shri Naresh Dhupar, aged about 26 years, R/o Shivaji Marg, Jethwa Gali, Near Ambe Apartments, Tikarapara, Bilaspur, District- Bilaspur (C.G.)

---- Respondents

For Petitioner: Mr. Matten Siddiqui & Ms. Ruchi Nagar,
Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/05/2017**

(1) In an application for maintenance filed by respondents under Section 125 of the Cr.P.C., the petitioner raised an objection that the Family Court, Bilaspur has no territorial jurisdiction to hear the application, which has been rejected by the impugned order, against which, instant writ petition has been filed questioning the same.

(2) Learned counsel for the petitioner would vehemently submits that order passed by the Family Court, Bilaspur deserves to be dismissed as that Court has no jurisdiction to entertain application in view of the fact the maintenance has already been granted by the Family Court, Mumbai at Bandra on 25th February, 1993. He further

submits that the petitioner has deposited ₹ 8,35,000/-, in joint account of respondents whereas he was merely bound to pay a sum of Rs.1,10,000/- as per order dated 25.02.1993 passed by Family Court, Mumbai, at Bandra.

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

(4) Substantive maintenance application has been filed by respondent No. 1 before Family Court, Bilaspur; and the petitioner has not filed detailed reply before Family Court, Bilaspur, the petitioner is at liberty to file reply before that court and take all possible and admissible objection before that Court, that will be considered by the Family Court, Bilaspur at the appropriate stage in accordance with law.

(5) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-