

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 181 of 2017**

- Vijendra John, aged about 24 years, son of Steven John, resident of in front of Bengal Sweets, beside HDFC Bank, Rajeev Gandhi Chowk, Jarhabhatha, Bilaspur, Police Station Civil Lines, Tahsil & District Bilaspur (CG) (Non-Applicant)

---- Applicant**Versus**

- Smt. Sujata John, wife of Vijendra John, aged about 21 years, daughter of Chandrashekhar Jediya, resident of Jabdapara, Pathak Bagicha, near Ankit Vidya School, Bilaspur, Police Station Sarkanda, Tahsil & District Bilaspur (CG) (Applicant)

---- Respondent

For Applicant : Shri Aditya Khare, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****15/02/2017**

1. The present Revision Application under Section 19 (4) of the Family Courts Act, 1984 has been preferred to call in question the order allowing interim maintenance at the rate of Rs.2,000/- per month to the respondent and litigation expenses of Rs.500/-.
2. It is argued that the respondent wife has left the matrimonial house on her own without there being any reasonable or justifiable reason, therefore, the applicant is not liable to pay any interim maintenance. Referring to para-3 of the applicant's reply to the respondent's application under Section 125 CrPC, it is argued that the marriage was never consummated and the respondent did not intend to marry the applicant from very inspection, therefore, for

this reason also, the order allowing the interim maintenance is not sustainable.

3. Having heard learned counsel for the applicant at length, it appears, the Court has considered all relevant aspects of the matter which are necessary to be dealt with in deciding the application for grant of interim maintenance under Section 125 CrPC. The applicant's contention shall definitely be considered by the Family Court when the application is finally decided. The family Court has allowed only Rs.2,000/- per month as interim maintenance in favour of the respondent. In the present price index, the amount cannot be said to be unreasonable or exorbitant.
4. Considering the entire fact situation of the case, this Court does not feel that the impugned order suffers from any legal infirmity.
5. The Revision Application sans substance deserves to be and is hereby dismissed. However, the family Court is directed to decide the application under Section 125 CrPC finally after recording the evidence of both the parties at the earliest, preferably within a period of 6 months from today.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve