

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 198 of 2017

Nareshchandra Deshmukh S/o R.G. Deshmukh Aged About 46 Years
R/o L.I.G.-2 /73, Hudco, Bhilai, District Durg, Chhattisgarh.

---- Applicant

Versus

Ku. Nishtha Deshmukh D/o Nareshchandra Deshmukh Aged About 12
Years Minor Through Natural Guardian Mother Usha Deshmukh, Aged
About 42 Years, R/o Quarter No. 3- C, Street No. 37, Sector- 8, Bhilai,
Bhilai, Tahsil & District Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. N.K. Chatterjee, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/02/2017

Heard.

1. This revision is directed against order dated 21.06.2016 by which, learned Family Court has awarded an interim maintenance of Rs.1500/- to the daughter of the applicant.
2. Submission of learned counsel for the applicant is that the learned Family Court without making appropriate inquiry with regard to the financial capacity of the applicant, has passed an order, ignoring that the daughter is residing with the mother, who is presently employed as a Nurse and earning.
3. At this stage of grant of interim maintenance, there is no need for making any detailed inquiry by taking evidence. The Court has to be prima facie satisfied about the financial capacity of the parties on the basis of the pleadings and affidavit before the Court. The Court below after taking into consideration the pleadings and affidavit before the Court and that there has been no dispute with regard to the parentage and the girl is admittedly residing with the mother, has passed the order of interim maintenance of Rs.1500/- per

month for being paid to the minor daughter.

4. In the considered opinion of this Court, the order does not suffer from any illegality so as to warrant interference in exercise of revisional jurisdiction.

5. The revision is, therefore, dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Rekha