

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 417 of 2017

Raja Majumdar S/o Shri Dilip Majumdar, Aged About 33 Years R/o Village- Mopka, Vivekanand Nagar, Police Station Sarkanda Tahsil, Civil & Revenue District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

1. Smt. Papia Majumdar W/o Raja Majumddar, Aged About 30 Years,

2. Sagar Majumdar S/o Raja Majumdar, Aged About 5 Years
Natural Guardian Smt. Papia Majumdar (Mother)

Both R/o Sarda Vihar, Near, Shiv Mandir Korba, Tahsil , Civil & Revenue District- Korba, Chhattisgarh

---- Respondents

For applicant - Shri Devesh G. Kela, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

24/04/2017

1. Heard.
2. Instant petition is against the order dated 4/02/2017 passed by the Family Court, Korba wherein interim amount of Rs.2000/-awarded to the respondent No.2 son who is aged about 5 years is under challenge.
3. Learned counsel for the applicant would submit that in a separate proceeding which is pending under the Matrimonial Act amount of Rs.3000/- has already been awarded to the wife as also children and therefore another amount of Rs.2000/- which is given to the son is illegal which cannot be sustained.
4. Perused the order dated 4/02/2017 which prima facie reflects that matrimonial proceeding is going on in between the parties i.e. applicant and respondent No.1 before the Family Court, Bilaspur wherein under Section 24 of the Hindu Marriage Act Rs.3000/- has been awarded to the

wife. The order would show that present award of Rs.2000/- has been granted to the son who is aged about 5 years. By this order nothing has been given to the wife, therefore taking into inter-se relation in between the parties, relation of respondent No.2 Sagar Majumdar who is aged about 5 years is not been disputed that he is son of the applicant. In the result, taking into price index which is prevailing in the society amount and quantum of interim maintenance granted to the son cannot be stated to be illegal or exorbitant. Accordingly, I do not find any reason to interfere in the order.

5. Consequently, the revision petition is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE