

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No. 451 of 2016

K. Gopal Rao, S/o. K. Ramchandra Rao, Aged About 46 Years, Occupation- Computer Engineer, R/o. Ganesh Nagar, Old Municipality High School, Bramhapur, District Ganjam (Odisha). Official Address Course Director, National Computer Centre, Village Bhanj Nagar, District Ganjam (Odisha).

---- Applicant

Versus

1. Smt. K. Jay Laxmi, W/o. K. Gopal Rao, Aged About 41 Years.
2. Ku. K. Jyoti Rao, D/o. K. Gopal Rao, Aged About 16 Years (now aged about 19 years).

Both are R/o. 3-D, Ashish Nagar, Risali (East), Bhilai, Tahsil & District Durg, Chhattisgarh

---- Respondents

For Applicant : Mr. Goutam Khetrapal, Advocate

For Non-applicants : Mr. P.K.Maitra, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.10.2017

Heard

1. The instant criminal revision is filed against the order dated 01.03.2016 passed by the learned First Additional Principal Judge, Family Court, Durg (C.G.) in Misc. Criminal Case No.469/2015 whereby an application filed by the applicant to set aside the exparte order dated 06.10.2015 wherein the applicant was directed to pay an amount of Rs.7500/-.
2. During the course of argument, it is submitted by the learned counsel for the applicant that he is ready and willing to pay the entire outstanding amount to the wife and he may be given an opportunity of hearing to cross-examine the wife so that the case may be decided on merits.

3. Learned counsel for the non-applicant would submit that an amount of Rs.45,500/- and 52,000/- is outstanding against the applicant, which remains as arrears and is required to be paid.
4. Considering the issue and the fact that the applicant is ready and willing to deposit the outstanding dues, it is directed that on depositing the entire outstanding dues, which may be calculated before the Court below, the exparte order dated 06.10.2015 is set aside. The Court below shall decide the case afresh taking into the status of the parties, without any observation made in this order, within a month from the date of receipt of this order. The parties shall appear before the Court below on 02.11.2017.
5. In view of the above, the criminal revision stands disposed off.

Certified copy, as per rules.

Sd/-
(Goutam Bhaduri)
Judge