

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 827 of 2017

Preetam Sethiya, S/o. Vimal Sethiya, Aged About 24 Years, Caste Sundi, R/o. Chepdaguda, Village & Post Aasna, Police Station Kotwali, Tahsil Jagdalpur, District Bastar, Chhattisgarh.

---- Applicant

Versus

Panawati Sethiya, W/o. Preetam Sethiya, D/o. Ghasuram Sethiya, Caste Sundi, R/o. Bademorathpal, Sondipara, Post Kurenga, Police Station Parpa, District Bastar, Chhattisgarh

---- Respondent

For Applicant : Mr. Vikas A Shrivastava, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.08.2017

Heard

1. The instant revision is against the order dated 26.07.2017 passed by the Judge, Family Court Jagdalpur, in M.J.C. Case No.17/2017 whereby interim maintenance of Rs.1000/- has been granted to the wife/non-applicant till disposal of the case.
2. Learned counsel for the applicant submits that the interim maintenance of Rs.1000/- is on the higher side, the applicant is not able to earn; consequently, the amount of maintenance so granted cannot be ordered for. He further submits that the non-applicant/wife herself has deserted the husband and also she has filed a criminal case against the family members. Therefore, the order impugned dated 26.07.2017 may be set aside.
3. Perusal of the order would show that the relation *inter se* between the parties are not denied. The order sheet also records that out of the wedlock a child was also born and the applicant is a young person of 24-25 years, therefore, the order of maintenance of Rs.1000/- which has been ordered cannot be said to be exorbitant

or inflated taking into the price index, which is prevailing in the society. Furthermore, the interim order of maintenance being interlocutory in nature, the instant revision is not maintainable in view of Section 19(4) of the Family Courts Act, 1984.

4. In view of the above, the revision has no merit and accordingly it is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Ashok