

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 1198 of 2016

Pramod Kumar Sahu S/o Mana Ram Sahu, Aged About 37 Years
R/o Village Pondibahar, Korba Police Station Rampur Kotwali,
Korba Tahsil And District Korba Chhattisgarh

---- Applicant

Versus

1. Smt. Nandani Sahu W/o Pramod Kumar Sahu, Aged About 32 Years, (C.G.)
2. Ku. Arya Sahu, D/o Pramod Kumar Sahu, Aged About 11 Years,
3. Vishu Vaibhav Sahu, S/o Pramod Kumar Sahu, Aged About 7 Years

No.2 & 3 are minor through natural guardian mother Nandani Sahu wife of Pramod Kumar Sahu,

All R/o Adarsh Nagar, Pondibahar Near Muktidham Korba Tahsil
And District Korba Chhattisgarh

---- Respondents

For applicant - Shri N.K. Chhatterjee, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/01/2017

1. This petition is against the order dated 19/10/2016 passed by the Family Court, Korba wherein applicant has been directed to pay amount of Rs.4000/- in all for interim maintenance to the wife and the children.
2. Learned counsel for the applicant would submit that respondent No.1 wife is living adulterous life and she is not entitled for any relief and further no documents have been filed before the court to show that the applicant is earning Rs.46,000/- per month.
3. Perused the order dated 19/10/2016. The order is for payment of interim maintenance to the wife and the children. After going through the order, I am not convinced to interfere in such order. At the same time, argument which is raised by learned counsel for the applicant that

the respondent/wife is living adulterous life cannot be appreciated at this stage as the person with whom respondent/wife is living adulterous life has not been made a party which is evident from the cause title of the main application which is pending before the court below. Considering all the aspect, I am not inclined to entertain this petition.

4. Accordingly, the petition is dismissed. However, the applicant if so advised, may move suitable application before the court below to implead necessary party.

Sd/-

(Goutam Bhaduri)

JUDGE