

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Criminal Revision No. 1008 of 2016

Ashish Tripathi, S/o. Mr. Shanti Tripathi, Aged About 30 Years, R/o. House No.-A/106, Power City, Ashedhyapuri, Jamnipali, District Korba, Chhattisgarh.

---- Applicant

Versus

Smt. Anamika Tripathi, W/o. Mr. Ashish Tripathi, Aged About 30 Years, R/o. Through Nand Kumar Vishwakarma (Father), House No.-06, Saluja Vihar, Bhartiya Nagar, District Bilaspur, Chhattisgarh

---- Respondent

29.08.2017	Mr. Achyut Tiwari, Advocate for the Petitioner. Mr. Vaibhav A Goverdhan, Advocate for the Respondent. Heard It appears that by an order dated 22.08.2017 specific direction was given to make a submission that how much amount of maintenance has been paid to the wife; instead answer to the query, an application I.A.No.2 has been filed by the petitioner to convert this Criminal Revision into Criminal Misc. Petition. Learned counsel for the petitioner submits that I.A.No.2, application to convert the instant Criminal Revision into Criminal Misc. Petition, was filed before such order dated 22.08.2017 is passed. Heard on I.A.No.2, which is an application to convert the instant Criminal Revision into Criminal Misc. Petition Considering the same, I do not find any plausible reasons to convert this Criminal Revision into Criminal Misc. Petition. The petitioner is always at liberty to prosecute the legal remedy available

to him, as there cannot be estoppel of law and petition under Section 482 of Cr.P.C. can be filed, if it is felt so expedient. It appears that no amount of maintenance has been paid till date. The order under challenge is that of interim maintenance, the revision is not maintainable being interlocutory in nature as contemplated under Section 19(4) of the Family Courts Act.

In view of the above, the application I.A.No.2 is dismissed. Consequently, the instant revision petition is also dismissed.

Sd/-
(Goutam Bhaduri)
Judge