

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.76 of 2018

Mohd. Arif, S/o Late Mohd. Habib, aged 32 years, R/o Village Siddharth Chowk, Tikrapara, P.S. Tikrapara, District Raipur, Chhattisgarh

---- Applicant

versus

1. Mahzabeen, W/o Mohd. Arif, aged about 25 years,
2. Arsalan, aged about 5 years, S/o Mohd. Arif (Non-Applicant No.2 is minor represented through natural guardian mother Mahzabeen)

Both R/o Akaltara, Tahsil Akaltara, District Janjgir-Champa, Chhattisgarh

--- Respondents

For Applicant	:	Shri J.K.S. Gupta, Advocate
For Respondents	:	Shri Sumit Jhanwar, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

21.3.2018

1. The revision is listed for hearing on admission. With the consent of Learned Counsel appearing for the parties, the matter is heard finally.
2. This revision has been preferred by the Applicant/husband against the order dated 14.12.2017 passed in Case No.161 of 2017 by the Principal Judge, Family Court, Janjgir allowing the application preferred by the Respondents and awarding interim maintenance of Rs.5,000/- in favour of Respondent No.1 and that of Rs.3,000/- in favour of Respondent No.2, total Rs.8,000/-.
3. Learned Counsel appearing for the Applicant/husband submits that the award of interim maintenance is on higher side. Though the Applicant/husband is an employee of Axis Bank and is posted in the Sales Department of the Bank yet he is getting Rs.34,652/- net salary per month after deductions and out of the said net salary,

most of the amount is spent in his personal needs. Therefore, the amount of interim maintenance awarded by the Family Court may be reduced suitably.

4. Learned Counsel appearing for the Respondents opposes the prayer and supports the impugned order. He submits that looking to the financial status of the Applicant, the award of interim maintenance is just and proper.
5. It is admitted that the Applicant is an employee of the Axis Bank and is posted as B.S.M. in the Sales Department of the Bank. As per his own contention, his salary is about Rs.71,000/- per month and after deductions, he is getting about Rs.35,000/- per month. Looking to the financial status of the Applicant/husband, the award of interim maintenance of total Rs.8,000/- is just and proper. The impugned order does not call for any interference.
6. Resultantly, the revision is dismissed.

Sd/-
(Arvind Singh Chandel)
Judge