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HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.16 of 2018

Agardas, son of Ayodhya Dahariya, aged about 33 years, occupation Driver/Farmer/Homeopathic, R/o Ghotiya, Kawardha, PS and Tahsil Kawardha, District Kabirdham, Chhattisgarh

---- Applicant

versus

1. Durgabai, W/o Agardas Dahriya, aged about 30 years, Caste Satnami,
2. Ku. Anjali, D/o Agardas, aged about 15 years, Caste Satnami,
3. Siddhant, S/o Agardas, aged about 11 years, Caste Satnami,
4. Priyanshu, S/o Agardas, aged about 9 years, Caste Satnami,
5. Ku. Aruni, D/o Agardas, aged about 5 years, Caste Satnami,
6. Ku. Kunti, D/o Agardas, aged about 3 years, Caste Satnami

Respondents No.2 to 4 occupation student, all minor under lawful guardian of mother Durgabai, W/o Agardas Dahriya, Caste Satnami, R/o Village Ghotiya, Police Station and Tahsil Kawardha, Presently residing Rajanawagaon, Police Station Rajanawagaon, Tahsil Bodla, District Kabirdham, Chhattisgarh

--- Respondents

For Applicant	:	Shri Malay Shrivastava, Advocate
For Respondents	:	Shri V.N. Shriwas, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

5.7.2018

1. With the consent of Learned Counsel appearing for the parties, the matter is heard finally.
2. This revision has been preferred against the order dated 8.8.2017 passed by the Family Court, Kabirdham in M.Cr.C. No.293 of 2017, whereby monthly maintenance of Rs.1,500/- in favour of Respondent No.1/wife and Rs.600/- in favour of each of Respondents No.2 to 6 has been granted.

3. I have heard Learned Counsel appearing for the parties and perused the material available with due care.
4. It is not in dispute that Respondent No.1 is legally wedded wife of the Applicant and other Respondents are their children. Allegedly, the Applicant has kept one woman, namely, Shashikala with him as his wife. Respondents' Witness No.2 Agarbai, mother of said Shashikala has categorically stated that the Applicant has kept Shashikala in his house as his wife. She has remained firm during her cross-examination. From the evidence adduced by the parties, it is clear that the Applicant has kept Shashikala at his house as his wife. Therefore, it is established that Respondent No.1 is residing separately from the Applicant with sufficient cause.
5. The Family Court has granted monthly maintenance of Rs.1,500/- in favour of Respondent No.1 and Rs.600/- in favour of each of the other Respondents. Looking to the social status of both the parties and financial status of the Applicant, the maintenance granted by the Family Court is just and proper.
6. I find no merit in the revision. It is, therefore, dismissed.

Sd/-

(Arvind Singh Chandel)
JUDGE