

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 207 of 2018

1. Foolmati, W/o. Bhaiyalal, Aged About 52 Years, Occupation – Labour.
 2. Mamta, D/o. Bhaiyalal, Aged About 29 Years, Occupation – Housewife.
- Both are Caste - Panika, R/o. Village Ramanujganj, District Surajpur, Chhattisgarh. At Present - Navapara Collage Road, Surajpur, Police Station Tahsil & District Surajpur, Chhattisgarh.

---- Petitioners

Versus

1. Bhaiyalal, S/o. Budhram, Aged About 60 Years, Occupation - Service, SECL Employee, R/o. Village - Sonamani, Domanhil Chirmiri, District Koriya, Chhattisgarh. At Presently R/o. Village - Parla, Post Madai, Police Station Bango, Tahsil Podi Uroda, District Korba, Chhattisgarh.
2. General Manager, SECL, Chirmiri Region, District Koriya Chhattisgarh.
3. Sub Area Manager, Domanhil Colliery, Chirmiri Region District Koriya Chhattisgarh.
4. State Bank Of India, Through Manager, Domanhil Colliery, Chirmiri Region, District Koriya Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Amit Sharma, Advocate
For Respondent No.2 & 3	:	Mr. Vinod Deshmukh, Advocate
For Respondent No.4	:	Mr. Utsav Mahiswar, on behalf of Mr. P.R.Patankar, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.03.2018

Heard

1. This petition is against the order dated 06.10.2017 wherein the application under Section 151 of C.P.C. has been dismissed whereby the petitioner has claimed that the P.F., G.P.F. & Pension may not be made to the respondent No.1 who is husband of the petitioner.
2. It is contended that during the argument in a proceeding under Section 125 of Cr.P.C, the maintenance amount of Rs.2000/- was ordered for to the wife and the same has not been disbursed to

the petitioners after 2016, therefore, stay for payment of retirement benefit be ordered for. If it is so, it is for the petitioner to seek appropriate remedy in a recovery proceeding of Section 125 of Cr.P.C. Therefore, at this stage, without any observation on merit, this Court do not find any illegality in the order to interfere in exercise of Article 227 of the Constitution of India.

3. Accordingly, the petition is dismissed at the admission stage itself.

Sd/-
(Goutam Bhaduri)
Judge