

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 434 of 2018

Kamlapati S/o Duran Gond Aged About 45 Years Occupation-
Cultivator And Labour, Resident Of Village- Patrapara, Police
Station And Tahsil- Surajpur, District- Surajpur, Chhattisgarh

---- Petitioner

Versus

1. Sudhiyaro W/o Kamlapati Aged About 36 Years,
2. Ku. Pushpa S/o Kamlapati Aged About 10 Years,
3. Ku. Ranu S/o Kamlapati Aged About 9 Years,
No.2 & 3 are minor represented through the mother Sudhiyaro,
All are R/o- Village- Padipa, Police Station- Pratappur, District-
Surajpur, Chhattisgarh.

---- Respondents

For petitioner - Shri D.N. Prajapati, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

02/04/2018

Heard.

1. Instant petition is against the order dated 30/08/2017 passed by the Additional Sessions Judge, Pratappur (Surajpur) in Criminal Revision No.06/2017 whereby the revisional court has affirmed the order dated 3/12/2015 passed by the JMFC, Pratappur.
2. Perusal of the order would show that on an application filed under section 125 of Cr.P.C. on 3/12/2015 maintenance of Rs.1000/- per month was directed to be paid to the respondents i.e. wife and two children. The order would reflect that on an application filed on 12/05/2008 under section 125 of Cr.P.C. the petitioner appeared before the court below on 26/09/2008 to 15/11/2011 and on 9/09/2009 reply to the interim prayer for maintenance was filed, however on 15/11/2011 when the petitioner was absent, he was proceeded ex-parte. Perusal of the petition also shows

that no plausible reason exist to interfere in such order specially looking into fact that only amount of Rs.1000/- each has been directed to be paid. There is no reason assigned for any bonafide non-appearance. Taking into totality, I am not inclined to interfere in such order.

3. Accordingly, the petition has no merit and it is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE