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HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.389 of 2018

Chandra Kumar, son of Faguwa Verma, aged about 48 years, resident of Hadahuli, Tahsil and Police Station Saja, District Bemetara, Chhattisgarh

---- Applicant

versus

Smt. Kamla Bai, wife of Chandra Kumar Verma, resident of Ward No.18, Bazar Para, Bemetara, District Bemetara, Chhattisgarh

--- Respondent

For Applicant	:	Shri Malay Kumar Bhaduri, Advocate
For Respondent	:	Shri Vaibhav A. Goverdhan, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

18.7.2018

1. With the consent of Learned Counsel appearing for the parties, the matter is heard finally.
2. Vide the impugned order dated 26.3.2018 passed in Case No.75 of 2017, the Family Court, Bemetara, allowing the application under Section 125 of the Code of Criminal Procedure filed by the Respondent/wife, has granted her monthly maintenance of Rs.2,000/-. Hence, this revision by the husband.
3. I have heard Learned Counsel appearing for the parties and perused the record with due care.
4. It is not in dispute that the Applicant and the Respondent are husband and wife. From perusal of the impugned order, it is clear that the husband has admitted that he has performed second marriage. Therefore, it is clear that the Respondent/wife is residing

separately from the Applicant/husband with sufficient cause. From the evidence adduced by the parties, it is also clear that the wife is unable to maintain her. The husband has also admitted the fact that an agricultural land measuring 7 acres is in possession of his joint family. He also works in a printing press. In these circumstances, looking to the income and other responsibilities of the Applicant/husband, the Family Court has rightly granted the monthly maintenance of Rs.2,000/- in favour of the Respondent/wife.

5. The revision has no merit. It is, therefore, dismissed.

Sd/-

(Arvind Singh Chandel)
JUDGE