

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.609 of 2018**

Deepak Jaiswal, S/o C.P. Jaiswal, aged about 44 years, occupation Shikshakarmi Varg-3, R/o House No.121, Pragati Vihar, In front of Geetanjali City, Bahtarai, District Bilaspur, Chhattisgarh

---- **Applicant**

versus

1. Smt. Lalita @ Sapna Jaiswal, aged 38 years, D/o Kartik Ram Jaiswal, W/o Deepak Jaiswal

2. Minor Aman Jaiswal, S/o Deepak Jaiswal,

Respondent No.2 is minor, through his natural guardian mother Smt. Lalita Jaiswal

Both are R/o House of Narendra Thakur, Advocate, beside Verma Cloth Store, Sarkanda, District Bilaspur, Chhattisgarh

--- **Respondents**

For Applicant	:	Shri Harshwardhan Jaiswal, Advocate
For Respondents	:	Shri H.S. Ahluwalia, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

27.8.2018

1. With the consent of Learned Counsel appearing for the parties, the matter is heard finally.
2. Vide impugned order dated 31.3.2018, the Family Court, Bilaspur has enhanced the amount of monthly maintenance from Rs.3,500/- to Rs.10,000/- in favour of the Respondents. The instant revision has been preferred against the said enhancement.
3. I have heard Learned Counsel appearing for the parties and perused the material available with due care.
4. Initially, vide order dated 13.1.2015 passed in M.J.C. No.281 of 2014 and M.J.C. No.587 of 2014, monthly maintenance of

Rs.2,000/- was granted in favour of Respondent No.1/wife and that of Rs.1,500/- was granted in favour of Respondent No.2/minor son. In the year 2014 also, the Applicant was working as a Shiksha Karmi and admittedly he was getting monthly salary of Rs.12,000/-. It has also been observed by the Family Court that in the month of November, 2017, monthly salary of the Applicant was Rs.24,994/-. Thus, it is clear that in the month of November, 2017, the Applicant was earning Rs.25,000/- per month. It is further clear that there is 100% increase in his monthly salary from the year 2014 to 2017. Therefore, looking to this increase, the grant of monthly maintenance of Rs.10,000/- in favour of the Respondents is slightly on higher side. Taking into consideration the present price index and monthly salary of the Applicant, the total monthly maintenance for the Respondents should be Rs.8,000/- only. Therefore, the monthly maintenance of Rs.10,000/- granted by the Family Court in favour of the Respondents is reduced to Rs.8,000/-. The reduced maintenance shall be payable with effect from today.

5. In the result, the revision is allowed in part to the extent indicated above.

Sd/-
(**Arvind Singh Chandel**)
Judge